

Page 001

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(b)(5);WIF Draft

of the Freedom of Information and Privacy Act

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Page 004

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of the Freedom of Information and Privacy Act

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: Assistance  
**Date:** Friday, February 16, 2018 2:31:02 PM  
**Attachments:** FOWs.pdf

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:09 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Assistance

The two A #'s are (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C). I can call you and discuss the allegation briefly now, or give you some time to look into things on your end. Let me know what's better for you.

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:06 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Assistance  
**Importance:** High

(b)(6);(b)(7)(C)

I will be available until noon then be available after 13:30. Do you have any case information you can provide?

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza (b)(6);(b)(7)(C) New York, NY 10278  
PH: 212-238 (b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:05 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Assistance

DFOD (b)(6);(b)(7)(C)

I received your information from OPR Jersey City. We, OPR Fairfax, VA, received an allegation that touches on two arrests made out of the ERO NYFO. I was wondering if you had sometime available to discuss this case with me today. I have an interview at 1000 today, but other than that I should be free. Please let me know if you are available for a quick call or feel free to contact me on my phone numbers listed below.

Thank you in advance,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Special Agent  
Office of Professional Responsibility  
Department of Homeland Security, ICE  
Office: (703) 877-(b)(6);(b)(7)(C)  
Cell: (646) 773-(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 008

Withheld pursuant to exemption

(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 009

Withheld pursuant to exemption

(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 010

Withheld pursuant to exemption

(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act



**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: Fwd: (b)(6);(b)(7)(C) Sessions, (b)(6);(b)(7)(C)  
**Date:** Thursday, February 15, 2018 9:41:40 AM  
**Attachments:** Scan\_1.pdf  
ATT00001.htm

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Thank you,

(b)(6);(b)(7)(C)

*With honor and integrity, we will safeguard the American people, our homeland and our values.*

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**From:** (b)(6);(b)(7)(C)  
**Date:** Monday, Jan 29, 2018, 1:35 PM  
**To:** Cheng, Wen-Ting (b)(6);(b)(7)(C) Decker, Thomas (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** FW: Fwd: (b)(6);(b)(7)(C) v. Sessions, (b)(6);(b)(7)(C)

Decision Attached...

Thank you,

(b)(6);(b)(7)(C)

Deputy Chief Counsel  
DHS/ICE/OPLA  
Office of the Chief Counsel  
New York, NY 10014  
(212) 863- (b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Date:** Monday, Jan 29, 2018, 1:25 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Fwd (b)(6);(b)(7)(C) v. Sessions, (b)(6);(b)(7)(C)

Opinion attached

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

(b)(6);(b)(7)(C)

Petitioner,

-v-

JEFFERSON SESSIONS III, in his official  
capacity as the Attorney General of the United  
States, KIRSTJEN NIELSEN, in her official  
capacity as Secretary of Homeland Security,  
THOMAS DECKER, in his official capacity as  
New York Field Office Director for U.S.  
Immigration and Customs Enforcement,

(b)(6);(b)(7)(C)

in his official capacity  
as Assistant New York Field Office Director for  
U.S. Immigration and Customs Enforcement,  
and the U.S. DEPARTMENT OF HOMELAND  
SECURITY,

Respondents.

KATHERINE B. FORREST, District Judge:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: January 29, 2018

(b)(6);(b)(7)(C)

OPINION & ORDER

There is, and ought to be in this great country, the freedom to say goodbye. That is, the freedom to hug one's spouse and children, the freedom to organize the myriad of human affairs that collect over time. It ought not to be—and it has never before been—that those who have lived without incident in this country for years are subjected to treatment we associate with regimes we revile as unjust, regimes where those who have long lived in a country may be taken without notice from streets, home, and work. And sent away. We are not that country; and woe be the day that we become that country under a fiction that laws allow it. We have a law higher than any that may be so interpreted—and that is our Constitution. The wisdom of our Founders is evident in the document that demands and requires

more; before the deprivation of liberty, there is due process; and an aversion to acts that are unnecessarily cruel. These fundamental rights are at issue in this case.<sup>1</sup>

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

This abrupt

and by all accounts unnecessary detention, a step in the direction of deportation, was wrong. To be sure, there is a complicated statutory scheme that has been written in so many different voices and with so many agendas that it is now akin to a corn maze. That scheme, read as the Government here reads it, allows for precisely those acts that occurred on (b)(6);(b)(7)(C) Under that reading, petitioner's status was essentially always at will and subject to immediate revocation if a mysterious "travel document" was obtained.<sup>4</sup> How and when said

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<sup>1</sup> The Court also notes with grave concern the argument that petitioner has been targeted as a result of his speech and political advocacy on behalf of immigrants' rights and social justice. "[A]s a general matter, the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content." United States v. Alvarez, 579 U.S. 709, 716 (2012) (quoting Ashcroft v. American Civil Liberties Union, 535 U.S. 564, 573 (2002) (internal quotation marks omitted)).

(b)(6);(b)(7)(C)

<sup>4</sup> This Court notes that the travel document at issue expired by its terms on January 14, 2018. In other words, the circumstances that were "changed" and that had allowed for the revocation of supervised release, have now "changed back." Moreover, it appears from the record (various ICE worksheets) that a travel document has been easily obtainable for years, rendering receipt of such a document as the basis for "changed circumstances" fictive.

document would be sought, let alone obtained, is unclear. Here, petitioner was never told that such a document had been applied for and, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

The Court in fact agrees with the Government that the statutory scheme—when one picks the path through the thicket in the corn maze—allows them to do what was done here. But there are times when statutory schemes may be implemented in ways that tread on rights that are larger, more fundamental. Rights that define who we are as a country, what we demand of ourselves, and what we have guaranteed to each other: our constitutional rights. That has occurred here.

In sum, the Court finds that when this country allowed petitioner to become a part of our community fabric, allowed him to build a life with and among us and to enjoy the liberties and freedom that come with that, it committed itself to allowance of an orderly departure when the time came, and it committed itself to avoidance of unnecessary cruelty when the time came. By denying petitioner these rights, the Government has acted wrongly. The petition must and shall be granted.

## I. STATEMENT OF LEGAL PRINCIPLES<sup>5</sup>

The Court agrees that the statutory scheme governing petitioner's status is properly read to allow for his removal without further right of contest. He is subject to a final order of deportation, he has been under an order of supervision that the statute provides a right to revoke if and when there was a change in circumstances, and receipt of a "travel document" that allowed for immediate deportation was such a change of circumstance. Once the travel document had been obtained, the statutory scheme provides for the revocation of supervision and detention, as his deportation had become reasonably foreseeable. All of this is correct. But under the circumstances, the process by which it was done was nonetheless insufficient. The manner in which deportation was and is to be effected here requires more.

The statutory scheme fails to account for the circumstances here; circumstances that petitioner shares with so many others who are similarly subject to final orders of deportation and have similarly lived under orders of supervision without incident for years. In such circumstances, the Fifth Amendment's liberty and due process guarantees are North Stars that must guide our actions. Yes, petitioner knew he was under a final order of deportation; yes, he had had numerous instances in which he had been heard by U.S. Immigration and Customs

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<sup>5</sup> The Court has jurisdiction over this petition under 28 U.S.C. § 2241. See *Zadvydas v. Davis*, 533 U.S. 678, 687 (2001) (citing 28 U.S.C. § 2241(c)(3), which "authorize[s] any person to claim in federal court that he or she is being held in custody in violation of the Constitution or laws . . . of the United States").

Enforcement ("ICE") and courts, arguing that he should be allowed to stay.<sup>6</sup> And yes, that was all at an end. But if due process means anything at all, it means that we must look at the totality of circumstances and determine whether we have dealt fairly when we are depriving a person of the most essential aspects of life, liberty, and family.<sup>7</sup> Here, any examination of those circumstances makes clear that petitioner's liberty interest,<sup>8</sup> his interest in due process, required that we not pluck him out of his life without a moment's notice, remove him from his family and community without a moment's notice. The process that was due here is not process that will allow him to stay indefinitely—those processes have been had. The process that is due here is the allowance that he know and understand that the time has come, that he must organize his affairs, and that he do so by a date certain. That is what is due. That is the process required after a life lived among us.<sup>9</sup>

(b)(6);(b)(7)(C)

<sup>7</sup> "These decisions underscore the truism that due process, unlike some legal rules, is not a technical conception with a fixed content unrelated to time, place and circumstances. (D)ue process is flexible and calls for such procedural protections as the particular situation demands." Mathews v. Eldridge, 424 U.S. 319, 334 (1976) (internal quotations and citations omitted).

<sup>8</sup> "Freedom from imprisonment— from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Fifth Amendment's Due Process Clause] protects." Zadvydas, 533 U.S. at 690 (citing Foucha v. Louisiana, 504 U.S. 71, 80 (1992)).

<sup>9</sup> In his first order of release, petitioner was placed under supervision. At that time, the order of release informed him "Once a travel document has been obtained, you will be required to surrender to ICE for removal. You will, at that time, be given an opportunity to prepare for an orderly departure."

Here, instead, the process we have employed has also been unnecessarily cruel. And those who are not subjected to such measures must be shocked by it, and find it unusual.<sup>10</sup> (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

All of this without any showing, or belief by ICE that there is any need to show, that he would not have left on his own if simply told to do so; there has been no showing or even intimation that he would have fled or hidden to avoid leaving as directed. And certainly there has been no showing that he has not conducted himself lawfully for years.<sup>11</sup> Taking such a man, and there are many such men and women like him, and subjecting him to what is rightfully understood as no different or better than penal detention, is certainly cruel. We as a country need and must not act so. The Constitution commands better.

## II. CONCLUSION

Having carefully reviewed the submissions and entire record in this matter, and having heard the parties, the Court is convinced that it must grant the petition for habeas corpus. Constitutional principles of due process and the avoidance of

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<sup>10</sup> "The Eighth Amendment's prohibition of cruel and unusual punishment 'guarantees individuals the right not to be subjected to excessive sanctions.'" *Miller v. Alabama*, 567 U.S. 460, 469 (2012) (quoting *Roper v. Simmons*, 543 U.S. 551, 560 (2005)). The Court further notes the clear principle that deportation proceedings are "civil, not criminal" and are assumed to be "nonpunitive in purpose and effect." See *Zadvydas*, 533 U.S. at 690.

<sup>11</sup> The order of deportation is based upon a felony conviction for wire fraud that petitioner sustained in 2001. It is uncontested that since his release from custody, petitioner has lived a life of a redeemed man.




unnecessary cruelty here allow and provide for an orderly departure. Petitioner is entitled to the freedom to say goodbye.

Accordingly, it is hereby ORDERED that petitioner shall be immediately released from custody.

SO ORDERED.

Dated: New York, New York  
January 29, 2018



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KATHERINE B. FORREST  
United States District Judge

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: Operational Plans  
**Date:** Thursday, February 15, 2018 2:12:09 PM  
**Attachments:** (b)(6);(b)(7)(C) Operations Order.docx  
(b)(6);(b)(7)(C) Operations Order.docx

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(b)(6);(b)(7)(C)

Attached are the operational plans for the two subject (b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C);(b)(7)(E)

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Page 022

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(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 023

Withheld pursuant to exemption

(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 024

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(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 025

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(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 026

Withheld pursuant to exemption

(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act



Page 027

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(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 028

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(b)(6);(b)(7)(C);(b)(7)(E)

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Page 029

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Page 032

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of the Freedom of Information and Privacy Act

Page 033

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(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act

Page 034

Withheld pursuant to exemption

(b)(6);(b)(7)(C);(b)(7)(E)

of the Freedom of Information and Privacy Act



**From:** (b)(6);(b)(7)(C)  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today  
**Date:** Friday, February 09, 2018 9:58:14 AM  
**Attachments:** verifiedcomplaint.pdf

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(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

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**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)

**Date:** Friday, Feb 09, 2018, 12:11 AM

**To:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject: RE:** (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

(b)(6);(b)(7)(C)

Attached please find the First Amendment lawsuit and order to show cause. In addition to (b)(6);(b)(7)(C) plaintiffs include: the New Sanctuary Coalition, CASA de Maryland, National Immigrant Project of the National Lawyers GILD, NY Immigration Coalition and Detention Watch. In addition to the two of you, the suit names AD1 Tom Homan, the Secretary and the Atty General as defendants.

Wen Cheng  
Chief Counsel - New York  
USDHS/ICE

\* Sent via iPhone \*

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**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)

**Date:** Thursday, Feb 08, 2018, 7:10 PM

**To:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject: RE:** (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

(b)(6);(b)(7)(C)

Attached is the temporary stay signed by the judge. We are still waiting to receive a copy of First Amendment complaint and will forward when we receive it.

AUSA will be sending a formal preservation letter within the next few days, but in the meantime, we should preserve and retain all potentially relevant documents and materials to this litigation. This includes both paper and electronic records. Please let us know if you have any questions.

Thanks.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
(212) 264-(b)(6);(b)(7)(C) or via SECTOR

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**From:** Cheng, Wen-Ting  
**Sent:** Thursday, February 08, 2018 12:54 PM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

(b)(6);(b)(7)(C)

Heads up. (b)(6);(b)(7)(C) attys are filing a 1<sup>st</sup> Amendment claim against the agency. We expect a temporary stay to be issued today or tomorrow. We're in contact with the USAO and will brief you later this afternoon.

This is just a heads up at this point. I suggest (b)(5)

(b)(5) Is 4pm a good time?

Thanks. Wen

*Wen*

Wen-Ting Cheng  
Chief Counsel

Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
(212) 264-(b)(6);(b)(7)(C) or via SECTOR

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

(b)(6);(b)(7)(C)

NEW SANCTUARY COALITION OF  
NEW YORK CITY;

CASA DE MARYLAND, INC.;

DETENTION WATCH NETWORK;

NATIONAL IMMIGRATION PROJECT  
OF THE NATIONAL LAWYERS GUILD;

and

NEW YORK IMMIGRATION  
COALITION,

Plaintiffs,

v.

THOMAS D. HOMAN, in his official  
capacity as Deputy Director and Senior  
Official Performing the Duties of the  
Director of U.S. Immigration and Customs  
Enforcement;

THOMAS R. DECKER, in his official  
capacity as New York Field Office Director  
for U.S. Immigration and Customs  
Enforcement;

(b)(6);(b)(7)(C)

in his official  
capacity as Assistant New York Field Office  
Director for U.S. Immigration and Customs  
Enforcement;

U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT;

Civil Action No. \_\_\_\_\_

KIRSTJEN M. NIELSEN, in her official	)
capacity as Secretary of Homeland Security;	)
	)
U.S. DEPARTMENT OF	)
HOMELAND SECURITY;	)
	)
JEFFERSON B. SESSIONS III, in his	)
official capacity as Attorney General of the	)
United States;	)
	)
and	)
	)
U.S. DEPARTMENT OF JUSTICE,	)
	)
Defendants.	)
_____	)
	)

**COMPLAINT FOR DECLARATORY, INJUNCTIVE, AND HABEAS RELIEF**

**NATURE OF ACTION**

1. This case is about who we are as a nation. Whether it remains true that “[i]f there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.” *W. Va. State Bd. of Educ. v. Barnette*, 319 U.S. 624, 642 (1943). Whether ours is a nation where the privilege and responsibility of prosecutorial discretion are nothing more than a thin veil for persecution of disfavored political views. The nation’s immigration laws provide for the removal of some non-citizens from the United States. In years past, to determine who to remove and when, the Executive Branch has considered factors such as whether the individual poses a danger to the community, the impact of removal on international relations, and the “human concerns” of whether the individual “has children born in the United States, long ties to the community, or a record of distinguished military service.” *Arizona v. United States*, 567 U.S. 387, 396 (2012).

2. But with the new Administration, something has changed. Federal immigration authorities have specifically targeted prominent and outspoken immigrant-rights activists across the country on the basis of their speech and political advocacy on behalf of immigrants' rights and social justice. These activists have been surveilled, intimidated, harassed, and detained, their homes have been raided, many have been plucked off the street in broad daylight, and some have even been deported. The "broad discretion exercised by immigration officials," *id.*, has been abused in a cynical effort to punish those who disagree with the Administration. To sweep away all opposition. The Government's targeting of activists on the basis of their core political speech is unfair, discriminatory, and un-American. And it violates the First Amendment.

3. Cities that protect noncitizen immigrants are called "sanctuaries" for a reason. Many immigrants live in the shadows for fear of possible of deportation. Many of the rights that birthright American citizens take for granted—the right to speak, to worship, to work, and to live as one pleases—are exercised only with caution by immigrants. Yet courageously, some immigrants speak out. They boldly educate other immigrants about their rights. They bravely advocate for changes to our immigration laws and enforcement policies. They fearlessly call out the injustices they see in our nation's immigration system. They do this because the Constitution not only allows but encourages it. Because of our "profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open." *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964).

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

7. (b)(6);(b)(7)(C) is not alone. Plaintiff immigrants' rights organizations have joined this lawsuit because they too have seen their leading advocates targeted because of their advocacy.

8. The Government cannot silence critics of its immigration laws and policies by deporting them. The First Amendment does not allow it. It is a matter of “grave concern” indeed that (b)(6);(b)(7)(C) and other likeminded activists “ha[ve] been targeted as a result of [their] speech and political advocacy on behalf of immigrants’ rights and social justice.” *Id.* at \*1 n.1. “[A]s a general matter, the First Amendment means that government has no power to restrict expression because of its message, its ideas, its subject matter, or its content.” *United States v. Alvarez*, 167 U.S. 709, 716 (2012) (alteration in original) (quoting *Ashcroft v. Am. Civil Liberties Union*, 535 U.S. 564, 573 (2002)).

9. This Court should prevent Defendants from doing just that. The Court should declare that targeting immigrant-rights activists on the basis of their protected political speech violates the First Amendment, and enjoin Defendants from taking any further retaliatory actions. And the Court should restrain Defendants from taking any action to effectuate (b)(6);(b)(7)(C) removal from the United States unless Defendants demonstrate to the Court’s satisfaction that such action is untainted by unlawful retaliation or viewpoint discrimination.

### JURISDICTION AND VENUE

10. This Court has subject matter jurisdiction under 28 U.S.C. § 1331; 28 U.S.C. § 2241; and the Suspension Clause of the United States Constitution. Plaintiffs’ causes of action arise under the laws and Constitution of the United States, including the First Amendment. In addition, Plaintiff (b)(6);(b)(7)(C) is subject to a final order of removal, which “is sufficient, by itself, to establish the requisite custody” for purposes of habeas jurisdiction. *Simmonds v. I.N.S.*, 326 F.3d 351, 354 (2d Cir. 2003); *see also Jones v. Cunningham*, 371 U.S. 236, 239-40 (1963).

11. Nothing in the Immigration and Nationality Act (INA) strips this Court of its jurisdiction over Plaintiffs’ claims. *See* 8 U.S.C. § 1252 (specifying provisions governing



judicial review of orders of removal). Plaintiffs here do not challenge underlying orders of removal or actions committed to unreviewable agency discretion. They challenge, rather, Defendants' pattern and practice of targeting immigrant-rights activists for immigration enforcement on the basis of their core protected political speech. This includes Defendants' actions targeting (b)(6);(b)(7)(C) which arose long after his removal order became final. No other forum exists to address these claims. Applying any statutory provision to curb jurisdiction in this case therefore would deprive Plaintiffs of any effective judicial review of their claims, and a "serious constitutional question ... would arise if a federal statute were construed to deny any judicial forum for a colorable constitutional claim." *Webster v. Doe*, 486 U.S. 592, 603 (1988) (quotation marks omitted). And, with respect to (b)(6);(b)(7)(C) the Suspension Clause guarantees review of his claims. See *INS v. St. Cyr*, 533 U.S. 289 (2001); *Simmonds*, 326 F.3d 351.

12. Venue is proper in this district under 28 U.S.C. § 1391. A substantial part of the events giving rise to this action occurred in this judicial district.

13. An actual and justiciable controversy exists between the parties under 28 U.S.C. § 2201, and this Court has authority to grant declaratory and injunctive relief. *Id.* §§ 1351, 2201, 2202. The Court has additional remedial authority under the All Writs Act, 28 U.S.C. § 1651.

## PARTIES

(b)(6);(b)(7)(C)

15. Plaintiff New Sanctuary Coalition of New York City (the Coalition) is an interfaith network of congregations, organizations, and individuals, standing publicly in solidarity with families and communities resisting detention and deportation in order to stay together. Since its inception in 2007, the Coalition has grown from a half-dozen congregations to a city-wide movement, working in coalition with New York City's major immigrant organizations to reform immigration enforcement practices and policies, both locally and nationally. The Coalition is based in New York.

16. Plaintiff CASA de Maryland, Inc. (CASA) is a non-profit 501(c)(3) membership organization headquartered in Langley Park, Maryland, with offices in Maryland, Virginia, and Pennsylvania. Founded in 1979, CASA is the largest membership-based immigrant-rights organization in the mid-Atlantic region, with more than 90,000 members. CASA's mission is to create a more just society by building power and improving the quality of life in low-income immigrant communities. In furtherance of this mission, CASA offers a wide variety of social, health, job training, employment, and legal services to immigrant communities in Maryland, as well as the greater Washington, DC metropolitan area, Virginia, and Pennsylvania.

17. Plaintiff National Immigration Project of the National Lawyers Guild (NIPNLG) is a national non-profit 501(c)(3) membership organization headquartered in Boston, Massachusetts. Formed in 1971 as a committee of the National Lawyers Guild, NIPNLG became a freestanding organization in 1981. Today it is one of the few national legal support groups that specialize in defending the rights of immigrants facing incarceration and deportation. It provides technical assistance and support to community-based immigrant organizations, legal practitioners, and advocates seeking and working to advance the rights of noncitizens. NIPNLG works independently and collaboratively with immigration advocacy organizations across the

United States to educate and strengthen the capacity of immigration professionals and immigrant organizations to defend immigrant rights, and promotes public policy change through litigation, advocacy, and support for community organizing on the ground.

18. Plaintiff New York Immigration Coalition (NYIC) is an umbrella policy and advocacy organization for more than 200 groups in New York State. NYIC envisions a New York state that is stronger because all people are welcome, treated fairly, and given the chance to pursue their dreams. Its mission is to unite immigrants, members, and allies so all New Yorkers can thrive. NYIC represents the collective interests of New York's diverse immigrant communities and organizations and devises solutions to advance them; advocates for laws, policies, and programs that lead to justice and opportunity for all immigrant groups; and builds the power of immigrants and the organizations that serve them to ensure their sustainability, to improve people's lives, and to strengthen the state.

19. Plaintiff Detention Watch Network (DWN) is a national coalition of approximately 200 organizations and individuals headquartered in Washington, DC. Founded in 1997 in response to the explosive growth of the U.S. immigration detention and deportation system, DWN works against the injustices of those systems and for profound change that promotes the rights of dignity of all persons. DWN is the only national network that focuses exclusively on immigration detention and deportation issues, is a go-to resource on detention issues, and is known as a critical national advocate for just policies that promote an eventual end to immigration detention. DWN unites diverse constituencies to advance the civil and human rights of those impacted by the immigration detention and deportation systems. DWN members, many of whom are directly affected by detention and deportation policies, are community organizers, advocates, social workers, lawyers, doctors, clergy, students, and formerly detained

immigrants and their families. They are engaged in individual case and impact litigation, documenting conditions violations, local and national administrative and legislative advocacy, community organizing and mobilizing, teaching, and social service.

20. Defendant Thomas D. Homan is the Deputy Director and Senior Official Performing the Duties of the Director of ICE. He is named in his official capacity. He is responsible for the enforcement of the immigration laws, including against (b)(6);(b)(7)(C) He supervises Defendants Decker and (b)(6);(b)(7)(C) His address is U.S. Immigration and Customs Enforcement, 500 12th Street, SW, Washington, DC, 20536.

21. Defendant Thomas R. Decker is the New York Field Office Director for ICE. He is named in his official capacity. He is responsible for the enforcement of the immigration laws in New York City and surrounding counties within New York, including against (b)(6);(b)(7)(C) He supervises Defendant (b)(6);(b)(7)(C) His address is New York Field Office, 26 Federal Plaza, (b)(6);(b)(7)(C) New York, New York, 10278.

22. Defendant (b)(6);(b)(7)(C) is the New York Field Office Deputy Director for ICE. He is named in his official capacity. He is responsible for the enforcement of the immigration laws in New York City and surrounding counties within New York, including against (b)(6);(b)(7)(C) His address is New York Field Office, 26 Federal Plaza, (b)(6);(b)(7)(C) New York, New York, 10278.

23. Defendant Department of Homeland Security (DHS) is an executive department of the United States Government. DHS is headquartered in Washington, DC.

24. Defendant ICE is a component of DHS headquartered in Washington, DC.

25. Defendant Kirstjen M. Nielsen is the Secretary of Homeland Security. She is named in her official capacity. She is responsible for the administration and enforcement of the

immigration laws, including against (b)(6);(b)(7)(C) She supervises Defendants Homan, Decker, and (b)(6);(b)(7)(C) Her address is U.S. Department of Homeland Security, 800 K Street, NW (b)(6);(b)(7)(C) Washington, DC, 20528.

26. Defendant Jefferson B. Sessions III is the Attorney General of the United States. He is named in his official capacity. He is responsible for the administration of the immigration laws as exercised by the Executive Office for Immigration Review. 8 U.S.C. § 1103(g). He is responsible for (b)(6);(b)(7)(C) removal proceedings, and supervises immigration judges and the Board of Immigration Appeals. His address is U.S. Department of Justice, 950 Pennsylvania Avenue, NW, Washington, DC, 20530.

27. Defendant Department of Justice (DOJ) is an executive department of the United States Government. DOJ is headquartered in Washington, DC.

#### FACTUAL ALLEGATIONS

**A. Defendants Have Engaged in a Pattern and Practice of Targeting Immigrant-Rights Activists on the Basis of their Core Protected Political Speech**

28. Since January 2017, federal immigration authorities across the country have engaged in a pattern and practice of targeting outspoken immigrant-rights activists who publically criticize U.S. immigration law, policy, and enforcement.

29. Defendants have investigated, surveilled, harassed, raided, arrested, detained, and even deported these activists in order to silence them. They have arrested activists immediately following press appearances and news conferences. They have detained spokespeople and directors of immigration advocacy organizations. They have surveilled the organizations' headquarters and targeted their members. And they have targeted communities identified by the federal government as "sanctuary cities" to punish those communities for taking legislative,

municipal, and political action to limit official cooperation with federal immigration enforcement.

30. This sharp spike in immigration enforcement specifically targeting the most vocal immigration activists is intended to stifle dissent. According to U.S. Representative Jerry Nadler: “These are well-known activists who’ve been here for decades, and [ICE is] saying to them: Don’t raise your head.”<sup>1</sup> Similarly, U.S. Representative Luis Guitierrez has stated: “I have long suspected that very vocal advocates were harshly targeted after they spoke out. ... I would go to ... an immigration hearing, and the person who made the biggest impression? I’d find out that they’d been detained. And that started last year.”<sup>2</sup>

31. Since 2017, media organizations have reported on many immigrants, including Plaintiff (b)(6);(b)(7)(C) and others, whom ICE has detained or taken other adverse action against based on their speech or other protected activities.

**B. Defendants Surveilled, Detained, and Seek To Deport (b)(6);(b)(7)(C) in Retaliation for his Outspoken Criticism of U.S. Immigration Law and Policy**

(b)(6);(b)(7)(C)

<sup>1</sup> Maria Sacchetti and David Weigel, *Ice has Detained or Deported Prominent Immigrant Rights Activists*, Washington Post (Jan. 19, 2018), [https://www.washingtonpost.com/powerpost/ice-has-detained-or-deported-foreigners-who-are-also-immigration-activists/2018/01/19/377af23a-fc95-11e7-a46b-a3614530bd87\\_story.html?utm\\_term=.5be0c8e2393b](https://www.washingtonpost.com/powerpost/ice-has-detained-or-deported-foreigners-who-are-also-immigration-activists/2018/01/19/377af23a-fc95-11e7-a46b-a3614530bd87_story.html?utm_term=.5be0c8e2393b).

<sup>2</sup> *Id.*

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)



(b)(6);(b)(7)(C)

<sup>3</sup>(b)(6);(b)(7)(C) continues to dispute the basis of his conviction. Further, as this Court recently noted ordering his release from detention, “[i]t is uncontested that since his release from custody, (b)(6);(b)(7)(C) has lived the life of a redeemed man.” (b)(6);(b)(7)(C) (Forrest, J.).

(b)(6);(b)(7)(C)

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<sup>4</sup> Nick Pinto, *Behind ICE's Closed Doors*, "The Most Un-American Thing I've Seen," Village Voice (Mar. 10, 2017), <https://www.villagevoice.com/2017/03/10/behind-ices-closed-doors-the-most-un-american-thing-ive-seen/>.

<sup>5</sup> See, e.g., Liz Robbins, *Once Routine, Immigration Check-Ins Are Now High Stakes*, N.Y. Times (Apr. 11, 2017), <https://www.nytimes.com/2017/04/11/nyregion/ice-immigration-check-in-deportation.html>; *Apoyado por cientos, defensor de inmigrantes evade deportación en Nueva York*, La Nación Costa Rica (Mar. 9, 2017), <https://www.nacion.com/el-mundo/politica/apoyado-por-cientos-defensor-de-inmigrantes-evade-deportacion-en-nueva-york/NQTJGKHIWJAYREVGOWMLAWJCE/story/>; *New York: malgré un casier judiciaire*,

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*un immigré évite l'expulsion*, Le Parisien (Mar. 10, 2017), <http://www.leparisien.fr/flash-actualite-monde/new-york-malgre-un-casier-judiciaire-un-immigre-evite-l-expulsion-10-03-2017-6751086.php>.

<sup>6</sup> Tiziana Rinaldi, *It's Good News and Bad News for an Immigrant Advocate Facing Deportation*, PRI (March 10, 2017), <https://www.pri.org/stories/2017-03-10/its-good-news-and-bad-news-immigrant-advocate-facing-deportation>.

<sup>7</sup> Amy Goodman, *Exclusive: Facing Possible Deportation, Immigrant Activist Speaks Out Before ICE Check-in*, Democracy Now! (Mar. 9, 2017), [https://www.democracynow.org/2017/3/9/exclusive\\_facing\\_likely\\_deportation\\_immigrant\\_activist](https://www.democracynow.org/2017/3/9/exclusive_facing_likely_deportation_immigrant_activist). (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

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<sup>8</sup> Nick Pinto, *No Sanctuary*, *Intercept* (Jan. 19, 2018), <https://theintercept.com/2018/01/19/ice-new-sanctuary-movement> (b)(6);(b)(7)(C) deportation/

<sup>9</sup> *Id.*

(b)(6);(b)(7)(C)

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<sup>10</sup> *Id.*

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)



(b)(6);(b)(7)(C)

<sup>11</sup> Exclusive: (b)(6);(b)(7)(C) *Speaks Out After Being Freed from "Unnecessarily Cruel" ICE Detention*, Democracy Now! (Jan. 30, 2018), [https://www.democracynow.org/2018/1/30/exclusive\\_immigrant\\_leader\\_\(b\)\(6\);\(b\)\(7\)\(C\)\\_freed](https://www.democracynow.org/2018/1/30/exclusive_immigrant_leader_(b)(6);(b)(7)(C)_freed).

<sup>12</sup> Kristin Toussaint, *Immigrant rights leader (b)(6);(b)(7)(C) released from ICE detention*, Metro (Jan. 30, 2018), [https://www.metro.us/news/local-news/new-york/immigrant-rights-leader-\(b\)\(6\);\(b\)\(7\)\(C\)-released-ice](https://www.metro.us/news/local-news/new-york/immigrant-rights-leader-(b)(6);(b)(7)(C)-released-ice).

<sup>13</sup> Molly Crane-Newman, *Immigrant activist (b)(6);(b)(7)(C) returns to site of his arrest for Manhattan protest march: "They want us to cave," Daily News* (Feb. 1 2018), [http://www.nydailynews.com/new-york/manhattan/\(b\)\(6\);\(b\)\(7\)\(C\)-returns-site-arrest-nyc-protest-march-article-1.3793363](http://www.nydailynews.com/new-york/manhattan/(b)(6);(b)(7)(C)-returns-site-arrest-nyc-protest-march-article-1.3793363).

**C. Defendants Have Targeted Numerous Other Immigrant-Rights Activists on the Basis of Their Core Protected Political Speech on Immigration Issues**

78. The arrests of (b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) are not unique. Rather, under the current Administration, ICE has engaged in a pattern and practice of targeting immigrants who exercised their fundamental First Amendment rights to criticize immigration policy and immigration enforcement.

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<sup>14</sup> Letter of Thomas Decker to (b)(6);(b)(7)(C) (Feb. 5, 2018).

## 2. Migrant Justice

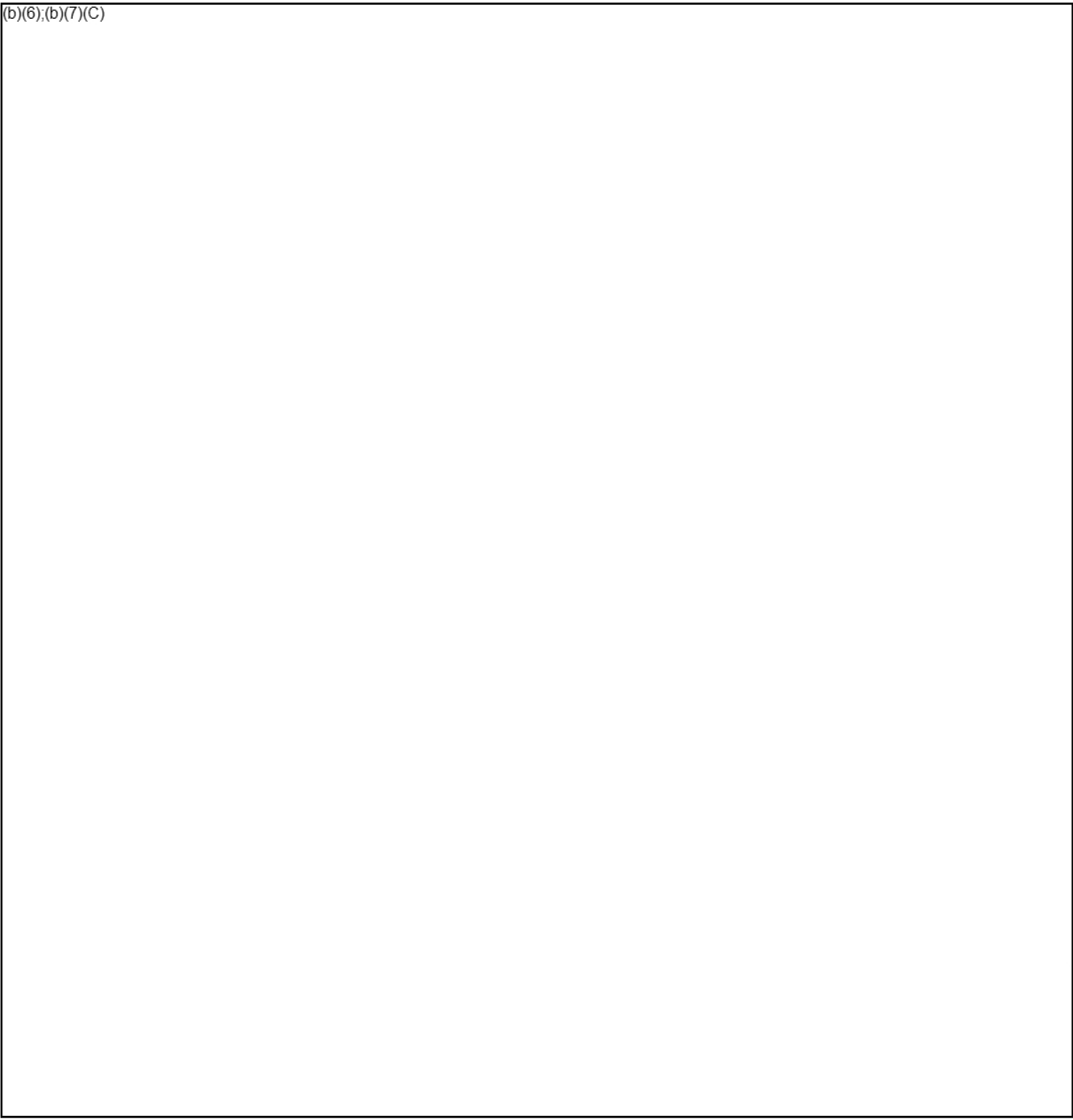
81. On information and belief, ICE has targeted multiple members of Migrant Justice, a community based non-profit organization of Vermont dairy farmworkers and their families. A majority of Vermont dairy workers are immigrants, and Migrant Justice has engaged in campaigns to defend the rights of their members as workers and as immigrants. In particular, Migrant Justice has sought to hold immigration enforcement agencies including ICE accountable for rights violations.

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<sup>15</sup> Phil Helsel, *'Dreamer' Applicant Arrested After Calling for Immigrant Protection*, NBC News (Mar. 2, 2017), <https://www.nbcnews.com/news/us-news/dreamer-applicant-arrested-after-calling-immigrant-protections-n727961>.

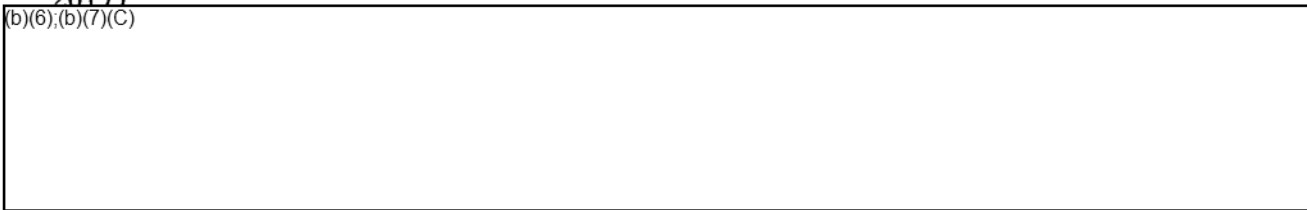
<sup>16</sup> *ICE Intimidates Latino Community With Arrest of DACA Recipient Practicing Free Speech*, HuffPost (Mar. 3, 2017), [https://www.huffingtonpost.com/entry/ice-intimidates-latino-community-with-arrest-of-daca\\_us\\_58b9dd6de4b02b8b584dfb6d](https://www.huffingtonpost.com/entry/ice-intimidates-latino-community-with-arrest-of-daca_us_58b9dd6de4b02b8b584dfb6d)

(b)(6);(b)(7)(C)



<sup>17</sup> Compl. ¶ 16, *Migrant Justice v. U.S. Dep't of Homeland Sec.*, No. 17-cv-197 (D. Vt. Oct. 11, 2017).

(b)(6);(b)(7)(C)



(b)(6);(b)(7)(C)

85. On June 17, 2017, two more Migrant Justice activists were arrested for immigration violations as they returned home from a march for better work conditions. (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

86. Migrant Justice is currently engaged in litigation to confirm through a Freedom of Information Act request whether its members have been targeted by ICE because of their advocacy on behalf of migrant workers.<sup>21</sup>

(b)(6);(b)(7)(C)

<sup>19</sup> Milton J. Valencia, *Hundreds in Boston Will Protest Vermont ICE Arrests*, The Boston Globe (Mar. 26, 2017), <https://www.bostonglobe.com/metro/2017/03/26/hundreds-protest-vermont-ice-arrests-boston-monday/MdxOtwc9TP6sVHsgEjEAY/story.html>

<sup>20</sup> Elizabeth Murray, *Protesters decry farmworkers' arrest after Ben & Jerry's march* (June 19, 2017), <http://www.burlingtonfreepress.com/story/news/local/vermont/2017/06/19/border-patrol-arrests-2-immigrants-east-franklin/408333001/>.

<sup>21</sup> Compl., *Migrant Justice, et. al v. United States Dep't of Homeland Security, et. al*, No. 17-cv-197 (D. Vt. Oct. 11, 2017).

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<sup>22</sup> Maria Sacchetti & David Weigel, *ICE Has Detained or Deported Prominent Immigration Activists*, Washington Post (Jan. 19, 2018), [https://www.washingtonpost.com/powerpost/ice-has-detained-or-deported-foreigners-who-are-also-immigration-activists/2018/01/19/377af23a-fc95-11e7-a46b-a3614530bd87\\_story.html?utm\\_term=.64d28708d652](https://www.washingtonpost.com/powerpost/ice-has-detained-or-deported-foreigners-who-are-also-immigration-activists/2018/01/19/377af23a-fc95-11e7-a46b-a3614530bd87_story.html?utm_term=.64d28708d652).

<sup>23</sup> *Id.*

<sup>24</sup> Nina Shapiro, *ICE Tracks Down Immigrants Who Spoke to Media in SW Washington: "You Are the One from the Newspaper,"* Seattle Times (Dec. 3, 2017), <https://www.seattletimes>.

(b)(6);(b)(7)(C)

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com/seattle-news/ice-tracks-down-immigrant-who-spoke-to-media-in-sw-washington-you-are-the-one-from-the-newspaper.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> *Id.*



## **7. Immigrant Sanctuaries**

97. On information and belief, ICE has also targeted communities that it identifies as “sanctuary cities” to punish those communities for taking legislative, municipal and political

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<sup>28</sup> John Bear & Jenn Fields, *Husband of Peruvian Woman Taking Sanctuary at Boulder Church Detained by ICE*, The Denver Post (Jan. 11, 2018), <https://www.denverpost.com/2018/01/11/ingrid-encalada-latorre-husband-detained-immigration-boulder-sanctuary>.

action to limit official cooperation with federal immigration enforcement.<sup>29</sup> These are communities where activists have successfully lobbied to prevent local government from assisting the federal government in immigration enforcement actions against immigrant residents.

98. In September 2017, ICE announced that it would undertake a series of raids designed to target sanctuary cities, and publically designated the action, “Operation Safe City.” According to ICE, Operation Safe City would target cities and regions “where ICE deportation officers are denied access to jails and prisons to interview suspected immigration violators or jurisdictions where ICE detainees are not honored.”<sup>30</sup> Operation Safe City resulted in hundreds of arrests in communities that had taken actions to limit local government’s cooperation with federal immigration enforcement. These communities included New York, Philadelphia, Los Angeles, Boston, Denver, and Portland, Oregon.<sup>31</sup>

99. Following the Operation Safe City raids, on October 5, 2017, California Governor Jerry Brown signed SB54 into law, a statute cancelling almost all state and local cooperation

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<sup>29</sup> These activities align with broader efforts of the current administration. On January 25, 2017, the President issued an Executive Order entitled, “Enhancing Public Safety in the Interior of the United States.” Exec. Order No. 13,768, 82 Fed. Reg. 8799 (Jan. 25, 2017). The Executive Order announces that it is the Executive Branch’s policy to withhold federal funds from “sanctuary jurisdictions,” directs the Attorney General and Secretary of Homeland Security to ensure that sanctuary jurisdictions do not receive federal grants, and directs the Attorney General to take enforcement action against any local entity that “hinders the enforcement of Federal law.” *Id.* at 8801. In July 2017, the Department of Justice increased pressure on sanctuary cities by imposing additional requirements for federal grants. Pete Williams, *Attorney General Sessions Raises Stakes for Sanctuary Cities*, NBC News (July 25, 2017), <https://www.nbcnews.com/politics/politics-news/attorney-general-sessions-raises-stakes-sanctuary-cities-n786546>.

<sup>30</sup> ICE, *ICE Arrests over 450 on federal immigration charges during Operation ‘Safe City,’* (Sept. 28, 2017), <https://www.ice.gov/news/releases/ice-arrests-over-450-federal-immigration-charges-during-operation-safe-city>.

<sup>31</sup> Miriam Jordan, *Immigration Agents Arrest Hundreds in Sweep of Sanctuary Cities*, N.Y. Times (Sept. 28, 2017), <https://www.nytimes.com/2017/09/28/us/ice-arrests-sanctuary-cities.html>.

with federal deportation officers. On information and belief, the statute was the result of, among other things intense lobbying from immigrant rights organizations. The next day , Acting Director Thomas Homan, in direct response to the California legislation, made the following threats in an official statement:

SB54 will negatively impact ICE operations in California by nearly eliminating all cooperation and communication with our law enforcement partners in the state, voiding the delegated authority that the Orange County Sheriff's Office has under the 287g program, and prohibiting local law enforcement from contracting with the federal government to house detainees.

*ICE will have no choice but to conduct at-large arrests in local neighborhoods and at worksites, which will inevitably result in additional collateral arrests, instead of focusing on arrests at jails and prisons where transfers are safer for ICE officers and the community. ICE will also likely have to detain individuals arrested in California in detention facilities outside of the state, far from any family they may have in California.*<sup>32</sup>

**D. ICE's Retaliatory Enforcement Actions Cause Grave Harm to Plaintiffs**

(b)(6),(b)(7)(C)

<sup>32</sup> ICE, Statement from ICE Acting Director Tom Homan on California Sanctuary Law (Oct. 6, 2017), <https://www.ice.gov/news/releases/statement-ice-acting-director-tom-homan-california-sanctuary-law> (emphasis added).

(b)(6);(b)(7)(C)

## **2. New Sanctuary Coalition of New York City**

105. The Coalition has grown rapidly in the past year, with numerous programs throughout the week providing support and services to immigrant communities. However, as a direct result of ICE's targeting of the Coalition leaders

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

108. ICE's targeting of critics of federal immigrant-rights advocates has also sown fear in the immigrant community, impeding NSC's pursuit of its mission. NSC staff receive numerous calls from worried immigrants asking whether they should go to their ICE check-ins.

109. In the wake of (b)(6);(b)(7)(C) detentions, both volunteers and recipients of the Coalition's services have expressed fear about attending workshops, clinics, and check-ins and immigration court dates. The Coalition has had to respond to numerous requests for advice and support from these individuals.

110. Immigrants are increasingly reluctant to participate in the Coalition's activities for fear of attracting the attention of ICE authorities.

111. In addition to targeting (b)(6);(b)(7)(C), ICE's pattern and practice of targeting critics of federal immigration policy against immigrant rights activists has directly impeded the Coalition's ability to carry out its mission. ICE has directly interfered with the Coalition's legal activities in support of immigrants. For example, in the summer of 2017, ICE officers at 26 Federal Plaza began to interfere with the Coalition's accompaniment program by restricting public access to the ICE check-in room at 26 Federal Plaza—thwarting volunteers from the Accompaniment Program who sought to assist immigrants during their check-ins. Even clergy who attempted to accompany people at their check-ins were often turned away.

112. ICE also appears to have surveilled the Coalition's gatherings in an attempt to intimidate its members.<sup>33</sup>

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<sup>33</sup> Several Coalition members saw evidence of ICE officers surveilling a meeting on the eve of (b)(6);(b)(7)(C) arrest. In addition, clergy have spoken to ICE officers who appeared to surveil Coalition members at a religious service. Nick Pinto, *No Sanctuary*, *The Intercept* (Jan. 19, 2018), <https://theintercept.com/2018/01/19/ice-new-sanctuary-movement-deportation/>. (b)(6);(b)(7)(C)

### 3. National Immigration Project of the National Lawyers Guild

113. NIPNLG has had to expend considerable resources in response to ICE's targeting of the members and leaders of immigration advocacy organizations. For example, NIPNLG provided technical assistance to (b)(6);(b)(7)(C) on her removal proceedings when she was served with an NTA by ICE (b)(6);(b)(7)(C). Recognizing ICE's pattern and practice of targeting activists, NIPNLG has had to identify and recruit counsel for certain activists that it anticipated would be targets of retaliatory action. NIPNLG has also published several substantial guides and hosted workshops to advise activists in the immigrant rights community of best practices under the Trump Administration, which included preparing a plan of action.<sup>34</sup>

114. Further, NIPNLG's members—which include (b)(6);(b)(7)(C) and his wife, (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) have been directly affected by ICE's targeting of immigrant activists.

### 4. CASA de Maryland

115. Defendants' retaliatory actions have had a highly negative impact on the community that CASA serves, and is also extremely detrimental to the mission and purpose of the organization. ICE's actions will harm CASA's mission in multiple ways and has already forced CASA to divert valuable resources away from its usual activities.

116. CASA has observed ICE targeting members of CASA's community and has responded to more than 50 reported ICE raids over the last year. CASA has seen blatant

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<sup>34</sup> See, e.g., Julie (Yihong) Mao, Jan Collatz, *Understanding the Federal Offenses of Harboring, Transporting, Smuggling and Encouraging under 8 U.S.C. § 1324(a)* (Sept. 28, 2017), [http://www.nipnl.org/PDFs/practitioners/practice\\_advisories/pr/2017\\_28Sep\\_memo-1324a.pdf](http://www.nipnl.org/PDFs/practitioners/practice_advisories/pr/2017_28Sep_memo-1324a.pdf); NIPNLG/Mijente, *In Defense of Organizing*, (May 2017), [https://www.nationalimmigrationproject.org/PDFs/community/2017\\_05June\\_in-defense-of-mijente-en.pdf](https://www.nationalimmigrationproject.org/PDFs/community/2017_05June_in-defense-of-mijente-en.pdf).

instances of racial profiling, including ICE targeting two Latinos at a convenience store in Baltimore.

117. As CASA raises its profile, including through increasing impact litigation, the risks of CASA's leaders and their families being targeted have increased. Leaders like (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

face potential retaliation for continuing to defend their families and

their communities. As they lose protections like DACA and TPS, these leaders become vulnerable to increasingly aggressive ICE enforcement action.

118. Over the past year, ICE has deported several CASA leaders, including (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

119. The selective targeting of CASA leaders has required an increased dedication of resources to defending these members, including through legal services, organizing and communications. Although CASA will never stop advocating for the community it serves, its mission is inherently negatively affected whenever one of its members, and particularly when one of its leaders, is deported.

120. CASA has had to redirect resources to deal with ICE's increasingly vindictive and unrestrained enforcement activity. CASA has dramatically expanded its Know Your Rights (KYR) presentations across the organization, helping to educate thousands of immigrants over

the past year about their constitutional rights and how to protect their families from immigration enforcement.

121. CASA has restructured its services to deal with the termination of DACA and TPS, and has increased the number of comprehensive immigration screenings it provides to its members, in anticipation of continuing excessive ICE enforcement activity.

122. CASA has significantly expanded its litigation efforts to challenge the Administration's unconstitutional actions against its members and the broader immigrant community. All of these changes have taken resources away from other vital CASA programming and advocacy efforts.

#### **5. New York Immigration Coalition**

123. Defendants' targeting of immigrant-rights activists like (b)(6);(b)(7)(C) directly interferes with NYIC's mission of advancing immigrant rights throughout New York. Defendants' retaliatory measures against the Coalition—one of NYIC's own member organizations—weakens NYIC's unified strength as a coalition and spreads fear among the immigrant communities that NYIC serves.



## CLAIMS FOR RELIEF

### COUNT I

#### (Retaliation in Violation of the First Amendment)

124. Plaintiffs incorporate the preceding paragraphs as if fully set forth herein.

125. To sustain a First Amendment retaliation claim, a plaintiff must show “(1) that the speech or conduct at issue was protected, (2) that the defendant took adverse action against the plaintiff, and (3) that there was a causal connection between the protected speech and the adverse action.” *Gonzalez v. Hasty*, 802 F.3d 212, 222 (2d Cir. 2015) (quotation marks omitted).

126. Plaintiffs have engaged in speech protected by the First Amendment. They have criticized U.S. immigration law and policy, organized rallies and protests against the U.S. immigration system, helped noncitizens navigate that system, and urged government officials to change it. Plaintiffs’ speech about U.S. immigration law and policy pertains to matters of public concern and seeks political change. It is therefore entitled to the highest level of protection under the First Amendment.

127. Defendants have taken adverse actions against Plaintiffs. Defendants have detained (b)(6);(b)(7)(C) and seek to deport him. Defendants have deported one of the Coalition’s leaders and are seeking to deport another. And Defendants have engaged in a nationwide pattern and practice of selectively enforcing the immigration laws against immigration-rights activists on the basis of their protected speech regarding U.S. immigration law and policy.

128. There is a causal connection between Plaintiffs’ protected speech and Defendants’ adverse actions. Defendants have selectively enforced the immigration laws against Plaintiffs and their leaders and members on the basis of their protected speech regarding U.S. immigration law and policy.

129. As a result, this Court should declare that Defendants' retaliatory actions violate the First Amendment; enter a preliminary and permanent injunction restraining Defendants from taking any action to effectuate (b)(6);(b)(7)(C) removal from the United States unless Defendants demonstrate to the Court's satisfaction that such action is untainted by unlawful retaliation; and enter a preliminary and permanent injunction restraining Defendants from selectively enforcing the immigration laws against any individual based on the individual's protected speech regarding U.S. immigration law and policy.

**COUNT II**  
**(Content, Viewpoint, and Speaker Discrimination**  
**in Violation of the First Amendment)**

130. Plaintiffs incorporate the preceding paragraphs as if fully set forth herein.

131. Government action that targets speech based on its content is presumptively unconstitutional and is justified only if the Government demonstrates that it is narrowly tailored to serve a compelling state interest. *Reed v. Town of Gilbert, Ariz.*, 135 S. Ct. 2218 (2015).

132. Defendants' pattern and practice of selectively enforcing the immigration laws against immigration-rights activists on the basis of their protected speech regarding U.S. immigration law and policy targets speech based on its content, does not serve a compelling state interest, and is not narrowly tailored.

133. Government action that targets private speech based on the viewpoint taken by the speaker is unconstitutional. *Matal v. Tam*, 137 S. Ct. 1744 (2017); *Sorrell v. IMS Health Inc.*, 564 U.S. 552 (2011).

134. Defendants' pattern and practice of selectively enforcing the immigration laws against immigration-rights activists on the basis of their protected speech regarding U.S. immigration law and policy targets private speech based on the viewpoint of the speaker.

135. Government action that targets speech based on the identity of the speaker is presumptively unconstitutional and is justified only if the Government demonstrates that it is narrowly tailored to serve a compelling state interest. *Citizens United v. Fed. Election Comm'n*, 558 U.S. 310 (2010).

136. Defendants' pattern and practice of selectively enforcing the immigration laws against immigration-rights activists on the basis of their protected speech regarding U.S. immigration law and policy targets speech based on the identity of the speaker, does not serve a compelling state interest, and is not narrowly tailored.

137. As a result, this Court should declare that Defendants' pattern and practice of targeting immigration-rights activists on the basis of their protected speech regarding U.S. immigration law and policy violates the First Amendment; enter a preliminary and permanent injunction restraining Defendants from taking any action to effectuate (b)(6);(b)(7)(C) removal from the United States unless Defendants demonstrate to the Court's satisfaction that such action is untainted by unlawful discrimination; and enter a preliminary and permanent injunction restraining Defendants from selectively enforcing the immigration laws against any individual based on the individual's protected speech regarding U.S. immigration law and policy.

#### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs request that this Court enter judgment in their favor and:

a. Declare that Defendants' retaliatory enforcement of the immigration laws against (b)(6);(b)(7)(C) and other immigrant-rights activists on the basis of their protected political speech about U.S. immigration law and policy violates the First Amendment;

b. Declare that Defendants' pattern and practice of discriminatorily enforcing the immigration laws against (b)(6);(b)(7)(C) and other immigrant-rights activists based on the content and viewpoint of their speech and the identity of the speaker violates the First Amendment;

c. Enter a preliminary and permanent injunction restraining Defendants from taking any action to effectuate (b)(6);(b)(7)(C) removal from the United States unless Defendants demonstrate to the Court's satisfaction that such action is untainted by unlawful retaliation or discrimination against protected speech;

d. Enter a preliminary and permanent injunction restraining Defendants on a nationwide basis from selectively enforcing the immigration laws against any individual—including, without limitation, through investigation, surveillance, detention, deportation, or any other adverse enforcement action—based on the individual's protected political speech about U.S. immigration law and policy;

e. Award Plaintiffs costs and reasonable attorneys' fees; and

f. Order such other relief as this Court may deem just and proper.

February 8, 2018

Respectfully submitted,

(b)(6);(b)(7)(C)

WASHINGTON SQUARE  
LEGAL SERVICES, INC.  
Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan Street, 5th floor  
New York, New York 10012  
Tel: (212) 998-6430

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

ARNOLD & PORTER  
KAYE SCHOLER LLP  
601 Massachusetts Ave., NW  
Washington, DC 20001  
(202) 942-5000  
(202) 942-5999 (fax)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

ARNOLD & PORTER  
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New York, NY 10019  
(212) 836-8000  
(303) 836-8689 (fax)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

ARNOLD & PORTER  
KAYE SCHOLER LLP  
70 West Madison Street  
Suite 4200  
Chicago, IL 60602  
(312) 583-2300  
(312) 583-2360 (fax)

(b)(6);(b)(7)(C)

\* Pro hac vice application forthcoming

*Counsel for Plaintiffs*

**VERIFICATION**

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

(b)(6);(b)(7)(C) being duly sworn, deposes and says:

I am (b)(6);(b)(7)(C) a plaintiff in the within action; I have read the foregoing Verified Complaint and know the contents thereof; except as to matters therein alleged on information and belief, and except as to matters within the personal knowledge of another plaintiff, I have learned of the facts alleged therein, either through my own personal knowledge or through information reported to me in the ordinary course of business; as to those matters as to which I do not have personal knowledge, I believe them to be true.

(b)(6);(b)(7)(C)

Sworn to and subscribed this  
7<sup>th</sup> day of February, 2018

(b)(6);(b)(7)(C)

**Notary Public, State of New York**  
**No. (b)(6);(b)(7)(C)**  
**Qualified in Kings County**  
**Certificate on File in New York County**  
**Commission Expires January 30, 2021**

**VERIFICATION**

STATE OF NEW YORK                    )  
  ) ss.:  
COUNTY OF NEW YORK                )

(b)(6);(b)(7)(C) being duly sworn, deposes and says:

(b)(6);(b)(7)(C) New Sanctuary Coalition of New York City, a plaintiff in the within action; I have read the foregoing Verified Complaint and know the contents thereof; except as to matters therein alleged on information and belief, and except as to matters within the personal knowledge of another plaintiff, I have learned of the facts alleged therein, either through my own personal knowledge or through information reported to me in the ordinary course of business; as to those matters as to which I do not have personal knowledge, I believe them to be true.

This verification is made by deponent because plaintiff is an organization.

(b)(6);(b)(7)(C)

Sworn to and subscribed this  
07 day of February, 2018

(b)(6);(b)(7)(C)

**Notary Public, State of New York**  
N(b)(6);(b)(7)(C)  
**Qualified in Kings County**  
**Certificate on File in New York County**  
**Commission Expires January 30, 2021**

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: (b)(6);(b)(7)(C)  
**Date:** Tuesday, February 13, 2018 7:25:50 AM

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(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

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**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Feb 13, 2018, 7:13 AM  
**To:** (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C)

Wow....the NY Daily News actually published this....

# Financial crimes convict Ravi Ragbir an ill-chosen immigrant icon

Financial crimes convict Ravi Ragbir an ill-chosen immigrant icon

**ERROL LOUIS**

NEW YORK DAILY NEWS

Tuesday, February 13, 2018, 5:00 AM

Activists who want to replace our unjust, convoluted immigration system with something better should be careful about how they use the difficult case of Ravi Ragbir as a guide for how to change American laws.

The unpleasant truth — which the activist's friends frequently ignore, distort or simply dissemble about — is that Ragbir, a native of Trinidad and Tobago, committed serious crimes in the 1990s that led to a prison sentence and constitute the main reason he is facing deportation.

I feel for Ragbir. By all accounts he is knowledgeable, charismatic and leading a necessary fight to bring sense and compassion to our immigration system. And like most New Yorkers, I strongly favor the granting of permanent legal status for Dreamers, the undocumented residents who were brought here as



children.

But Ragbir's case is very different. In 1994, as an adult, he secured a coveted green card, making him a permanent resident with the right to work. I short order, while working at Household Finance Corp. (which was later acquired by HSBC Bank), he joined a criminal ring that used the stolen identities of unsuspecting people to generate fraudulent mortgage loans, and was arrested in the summer of 1999.

In a signed confession, Ragbir said of the man who recruited him: "He told me that he wanted me to do business with him through my company (HFC) and set up real estate loans for people that he would send to me as referrals. He told me that he wanted to get the money from the loans and would send people to me to use false names and information and offered to me one point of each loan. One point is one-percent of the dollar amount of each loan. I told him that I would do it for him."

Ragbir also said of his partner in crime (who later pleaded guilty): "He is the guy that was running the whole scheme through me at my job . . . between December 1998 and now. He has organized the filing of \$1.5 million worth of fraudulent loans by using me to process the loans through Household Finance and allow others to assume false identities to apply for the loans."

Ragbir's supporters often downplay or mischaracterize these crimes, for which he spent three years in federal prison. Ragbir stipulated that the scheme ripped HFC off for between \$300,000 and \$500,000.

But the fraud didn't just affect a faceless corporation: It was based on identity fraud, which wreaks havoc on the lives of unsuspecting victims.

One of the persons ripped off in the scheme, Mary Mays, died before Ragbir went to trial. Another victim, Muzethel Childs, testified that she had never visited HFC or applied for a loan, but discovered her identity was used to generate a bogus mortgage. Ditto for Sudie Smith, whose stolen identity was part of the case against Ragbir.

One wishes that the activists passionately defending Ragbir would take the time to find the families of Mays, Childs and Smith — who, for all we know, were hardworking immigrants trying to make it in America. I wonder if they have ever been made whole financially.

And Mayor de Blasio was being inaccurate — or too cute by half — when he wrote a letter to the regional director of Immigration and Customs Enforcement requesting that Ragbir be granted long-term legal residency in the U.S.

"In his more than 20 years as a lawful permanent resident in the United States, Mr. Ragbir has made significant contributions to the city's civic life," the mayor wrote. That span includes the time Ragbir was part of the stolen

ID/mortgage fraud ring, as well as the years he spent in prison.

As is his right, Ragbir is exploring every conceivable legal and political angle to remain in the U.S. But the legal fight isn't going well; his conviction was upheld on appeal.

And the latest lawsuit, filed on behalf of Ragbir and other activists, charges they are being unfairly targeted because of their advocacy on behalf of undocumented immigrants. But even that lawsuit acknowledges on page 6 that "plaintiffs here do not challenge underlying orders of removal."

That's an acknowledgement that Ragbir has already had his day in court, and that the removal order will likely remain in place. Here's hoping more immigration activists will step up to complete his mission.

(b)(6);(b)(7)(C)

Assistant Field Office Director  
US Immigration & Customs Enforcement  
Enforcement & Removal Operations  
New York Field Office  
(212)863- (b)(6);(b)(7)(C) desk  
(646)201- (b)(6);(b)(7)(C) cell

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: RE:  
**Date:** Tuesday, February 13, 2018 8:58:42 AM

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(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

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**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Feb 13, 2018, 8:30 AM  
**To:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: RE:

Amen!

(b)(6);(b)(7)(C)

Supervisory Detention and Deportation Officer  
DHS/ICE/ERO  
Detained Case Management  
201 Varick Street, (b)(6);(b)(7)(C)  
New York, NY 10014  
Desk: 212-863-(b)(6);(b)(7)(C)  
Cell: 347-582-(b)(6);(b)(7)(C)  
Email: (b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, February 13, 2018 8:09 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE:

Finally some common sense.

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Feb 13, 2018, 8:00 AM  
**To:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:**

# Financial crimes convict Ravi Ragbir an ill-chosen immigrant icon

Financial crimes convict Ravi Ragbir an ill-chosen immigrant icon

**ERROL LOUIS**

NEW YORK DAILY NEWS

Tuesday, February 13, 2018, 5:00 AM

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That’s an acknowledgement that Ragbir has already had his day in court, and that the removal order will likely remain in place. Here’s hoping more immigration activists will step up to complete his mission.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

**From:** (b)(6);(b)(7)(C)  
**To:** (b)(6);(b)(7)(C)  
**Subject:** ES- ERO New York- (b)(6);(b)(7)(C) 02-14-18 jd (3) cleared  
**Date:** Thursday, February 15, 2018 3:11:15 PM  
**Attachments:** ES- ERO New York- (b)(6);(b)(7)(C) 02-14-18 jd (3) cleared.docx

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Latest

Page 089

Withheld pursuant to exemption

(b)(5);WIF Draft

of the Freedom of Information and Privacy Act

Page 090

Withheld pursuant to exemption

(b)(5);WIF Draft

of the Freedom of Information and Privacy Act



Page 091

Withheld pursuant to exemption

(b)(5);WIF Draft

of the Freedom of Information and Privacy Act

Page 092

Withheld pursuant to exemption

(b)(5);WIF Draft

of the Freedom of Information and Privacy Act

Page 093

Withheld pursuant to exemption

(b)(5);WIF Draft

of the Freedom of Information and Privacy Act

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** ES- ERO New York (b)(6);(b)(7)(C) v3 (3)  
**Date:** Thursday, February 15, 2018 9:46:38 AM  
**Attachments:** ES- ERO New York (b)(6);(b)(7)(C) v3 (3).docx

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**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: UPDATED Protest Information  
**Date:** Tuesday, July 31, 2018 6:54:23 PM  
**Attachments:** Anti Trump Protest Spreadsheet 07\_31\_18 - - .xlsx

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FYSA

Sent with BlackBerry Work  
(www.blackberry.com)

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**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 31, 2018, 5:15 PM  
**To:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: UPDATED Protest Information

FYSA

(b)(6);(b)(7)(C)  
Supervisor  
Department of Homeland Security  
(646) 372 (b)(6);(b)(7)(C) Cell Phone  
Sent with BlackBerry Work

---

**From:** HSI-NY, <HSI-NY@ice.dhs.gov>  
**Date:** Tuesday, Jul 31, 2018, 17:10  
**Subject:** UPDATED Protest Information

All,

Please see the below listing (full spreadsheet attached) with updated protest information. Please remain vigilant and aware of your surroundings.

31-Jul	10:30	12:00	Rise and Resist	Meet: Bowling Green #4&5 Subway Station then MARCH to Alexander Hamilton Custom House 1 Bowling Green.	"Protest outside the Dept. of Homeland Security conference. Tell speakers VP Pence & DHS Secretary Nielsen to reunite the families seperated through their anti-
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					immigration policies."
31-Jul	12:00	15:00	Refuse Fascism NYC, New Sanctuary Coalition of New York City	Alexander Hamilton Custom House (1 Bowling Green)	"Join 100 Handmaids VS Pence in NYC - Trump/Pence Must Go!"
31-Jul	16:30	19:30	(b)(6);(b)(7)(C) (b)(6);(b)(7)(C) and Science for the People	Microsoft - New York (11 Times Square) then <b>MARCH</b> to Salesforce (3 Bryant Park) then <b>MARCH</b> to Amazon Store (7 W. 34th Street)	"Abolish ICE National Day of Action: #WeWont BeComplicit NYC: Amazon, Microsoft, Trump Tower"
31-Jul	16:30	19:30	NY American Defenders ; The New Jewish Defense League NY.	Microsoft - New York (11 Times Square) then <b>MARCH</b> to Salesforce (3 Bryant Park) then <b>MARCH</b> to Amazon Store (7 W. 34th Street)	COUNTER- PROTEST. "Support ICE, Law Enforcement, The USA, No open borders, Build the wall , nice & tall."
31-Jul	17:30	18:30	Rise and Resist	Gov. Cuomo's Office (633 Third Avenue)	<b>Day 2</b> Demonstration "Abolish ICE Everywhere: 4 Days of Action Gov. Andrew Cuomo"
31-Jul	18:00	Unk	Young Progressives of America	ICE Detention Center (201 Varick Street)	"Free Edison Press Conference & Rally"
					Protest against

31-Jul	18:30	Unk	Uptown Standing Together	Fort Tryon Park (Billings Lawn)	"Identity Evropa", a white supremacist group that recently hung a banner that stated, "Stop the Invasion, End Immigration".
1-Aug	17:30	18:30	Rise and Resist	Start: Grand Army Plaza then MARCH to Sen Schumer's Residence (9 Prospect Park West)	<b>Day 3</b> Demonstration "Abolish ICE Everywhere: 4 Days of Action Sen. Chuck Schumer"
2-Aug	17:30	18:30	Rise and Resist	23 Wall Street (opp to Federal Hall)	<b>Day 4</b> Demonstration "Abolish ICE Everywhere: 4 Days of Action The Profiteers Day"
3-Aug	10:00	11:00	Rise and Resist	United States District Courthouse (500 Pearl Street)	(b)(6);(b)(7)(C) Court Date & Press Conference"
4-Aug	12:00	Unk	Gays Against Gun & NYC Says Enough	Start: Naumburg Bandshell, Central Park (Near West 72nd Street) then MARCH to Consulate General of Russia (9 East 91st Street)	"March on the NRA NYC"
17-Aug	17:00	18:00	New Sanctuary Coalition of NY and (b)(6);(b)(7)(C) and	ICE Detention Center (201	"Bikes Against Deportation

			the Stop Shopping Choir	Varick Street)	Demo"
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**HSI NEW YORK**

*Unity, Sacrifice, Allegiance*



## Anti-Trump Protest Spreadsheet 07/31/2018

Event #	Date	Day	Start	End	Group/Event	Proposed Location	Reason	Pct	Facebook - Going
1	31-Jul	Tues	10:30	12:00	Rise and Resist	Meet: Bowling Green #4&5 Subway Station then MARCH to Alexander Hamilton Custom House 1 Bowling Green.	"Protest outside the Dept. of Homeland Security conference. Tell speakers VP Pence & DHS Secretary Nielsen to reunite the families seperated through their anti-immigration	1	37
2	31-Jul	Tues	12:00	15:00	Refuse Fascism NYC, New Sanctuary Coalition of New York City	Alexander Hamilton Custom House (1 Bowling Green)	"Join 100 Handmaids VS Pence in NYC - Trump/Pence Must Go!"	1	68

<b>3</b>	31-Jul	Tues	16:30	19:30	(b)(6);(b)(7)(C) and Science for the People	Microsoft - New York (11 Times Square) then <b>MARCH</b> to Salesforce (3 Bryant Park) then <b>MARCH</b> to Amazon Store (7 W. 34th Street)	"Abolish ICE National Day of Action: #WeWontBeComplicit NYC: Amazon, Microsoft, Trump Tower"	MTS	101
<b>4</b>	31-Jul	Tues	16:30	19:30	NY American Defenders ; The New Jewish Defense League NY.	Microsoft - New York (11 Times Square) then <b>MARCH</b> to Salesforce (3 Bryant Park) then <b>MARCH</b> to Amazon Store (7 W. 34th Street)	COUNTER-PROTEST. "Support ICE, Law Enforcement, The USA, No open borders, Build the wall , nice & tall."	MTS	N/A
<b>5</b>	31-Jul	Tues	17:30	18:30	Rise and Resist	Gov. Cuomo's Office (633 Third Avenue)	<b>Day 2</b> Demonstration "Abolish ICE Everywhere: 4 Days of Action Gov. Andrew Cuomo"	17	31

<b>6</b>	31-Jul	Tues	18:00	Unk	Young Progressives of America	ICE Detention Center (201 Varick Street)	"Free Edison Press Conference & Rally"	1	3
<b>7</b>	31-Jul	Tues	18:30	Unk	Uptown Standing Together	Fort Tryon Park (Billings Lawn)	Protest against "Identity Evropa", a white supremacist group that recently hung a banner that stated, "Stop the Invasion, End Immigration".	34	Unk
<b>8</b>	1-Aug	Wed	17:30	18:30	Rise and Resist	Start: Grand Army Plaza then MARCH to Sen Schumer's Residence (9 Prospect Park West)	<b>Day 3</b> Demonstration "Abolish ICE Everywhere: 4 Days of Action Sen. Chuck Schumer"	78	30
<b>9</b>	2-Aug	Thur	17:30	18:30	Rise and Resist	23 Wall Street (opp to Federal Hall)	<b>Day 4</b> Demonstration "Abolish ICE Everywhere: 4 Days of Action The Profiteers Day"	1	37

<b>10</b>	3-Aug	Fri	10:00	11:00	Rise and Resist	United States District Courthouse (500 Pearl Street)	(b)(6);(b)(7)(C) Court Date & Press Conference"	5	78
<b>11</b>	4-Aug	Sat	12:00	Unk	Gays Against Gun & NYC Says Enough	Start: Naumburg Bandshell, Central Park (Near West 72nd Street) then MARCH to Consulate General of Russia (9 East 91st Street)	"March on the NRA NYC"	CPP & 19	8
<b>12</b>	17-Aug	Fri	17:00	18:00	New Sanctuary Coalition of NY and (b)(6);(b)(7)(C) and the Stop Shopping Choir	ICE Detention Center (201 Varick Street)	"Bikes Against Deportation Demo"	1	23

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: Updated Preservation Notice (b)(6);(b)(7)(C) (Please do not distribute)  
**Date:** Monday, August 13, 2018 8:51:43 AM

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(b)(6);(b)(7)(C)

Did you received the below? If yes, will Taskings be sending out a broadcast relating to this topic?

**From:** OPLA-DCLD\_Legal\_Hold  
**Sent:** Monday, August 13, 2018 8:27 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Updated Preservation Notice (b)(6);(b)(7)(C)  
(Please do not distribute)

(b)(6);(b)(7)(C)

You must click on the following link to confirm receipt of this Notice: [click here](#)

*This updated preservation notice in the matter of (b)(6);(b)(7)(C) is being sent to all those having received the original notice on March 2, 2018. Since then, Plaintiffs filed an Amended Complaint on July 17, 2018, which referenced several additional aliens and one organization. Please re-read the information below and respond to the data-preservation questionnaire accompanying this notice if anything has changed from your first responses, or you never responded originally.*

*The purpose of this update is two-fold: (1) remind all affected custodians that the litigation is ongoing, and that the duty to preserve the potentially discoverable information described below is also ongoing. If you have additional documents and electronically-stored information not previously preserved, please do so now; and (2) specify that this preservation notice includes notice to preserve information related to the additional aliens and organization noted (in italics) below.*

I am an Associate Legal Advisor with the District Court Litigation Division of the Office of the Principal Legal Advisor (OPLA), U.S. Immigration and Customs Enforcement (ICE). I serve as ICE agency counsel in the referenced matter of (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) You have been identified as someone who has, or may have, information related to this case. **This notice is sensitive (including numerous Alien Numbers on subsequent pages) and may not be distributed outside of ICE.** Please read this notice carefully and distribute it to all ICE employees who you believe may have information subject to this preservation notice, as well as any other subordinates, tech support providers, and other personnel who may have possession of or control over information or evidence about these matters. If an employee has transferred in or out of the listed office, please provide the name of the other office and the date of transfer. The requirement to preserve evidence will then transfer to the new field office where the individual is or was stationed for the remainder of the discovery period.

This case was brought by (b)(6);(b)(7)(C) and five immigrant-rights organizations ("Plaintiffs"). In the litigation, Plaintiffs have alleged that ICE has followed a **practice of selectively enforcing the removal of aliens who participate in immigrant-rights activism.** Specifically, Plaintiff (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

activism. Plaintiffs also allege that certain other individual immigrant-rights activists have been selectively targeted for removal on the basis of their immigrants-rights activism. Plaintiffs raise one claim of retaliation in violation of the First Amendment and one claim for content, viewpoint, and speaker discrimination in violation of the First Amendment.

ICE is required to preserve all information and evidence about this matter, even if it otherwise could be destroyed, deleted, or overwritten in the normal course of ICE operations. If information that is subject to a litigation hold is destroyed, a court in some circumstances may impose sanctions. Consequently, please preserve all information and evidence related to these plaintiffs, potential plaintiffs of which you may become aware, and this litigation. Specifically, all paper documents, correspondence, electronically stored information (ESI), other information, and tangible evidence related to these allegations,

organizations, and person must be preserved. Examples of ESI might include database files (Microsoft Access, Word, Excel, etc.), e-mails, text messages, instant messages, internet data and files, calendar entries, address book/contact list files, blog posts, short message service ("SMS") messages, social media postings, wiki files, audio files, and video files.

At a minimum, **please preserve all information in your possession related to any of the six named plaintiffs listed below, as well as any of the additional persons and organizations listed who have also become relevant for various reasons.**

Please preserve all such information **from January 1, 2017 to the completion of this litigation.** Searches for relevant information using these names, titles, and alien numbers, would be particularly useful. [Note: Locations following Alien Numbers below indicate areas where immigration proceedings are occurring, or represents last known locations for each respective alien.]

#### **Named Plaintiffs**

1. (b)(6);(b)(7)(C)
2. New Sanctuary Coalition of New York City
3. Casa De Maryland, Inc.
4. Detention Watch Network
5. National Immigration Project of the National Lawyers Guild
6. New York Immigration Coalition

**Other Identified Individuals, Organizations, and Subjects** (*Updated Names in Italics have been Added to the Complaint Since the Original Preservation Notice of March 2, 2018*)

1. (b)(6);(b)(7)(C)
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25. California Governor Jerry Brown
26. United States Representative Tim Ryan
27. United States Representative Jerrold Nadler
28. United States Representative Luis Guitierrez
29. New York State Senator Gustavo Rivera
30. New York City Council Speaker Corey Johnson
31. New York City Council Member Daniel Dromm
32. New York City Council Member Ydanis Rodriguez
33. New York City Council Member Jumaane Williams
34. Former New York City Council Speaker Melissa Mark-Viverito
35. CASA de Maryland, Inc.'s Know Your Rights Presentations
36. Migrant Justice
37. Migrant Justice's Milk with Dignity Campaign

- 38. Food Chain Workers Alliance
- 39. "Jericho Walks," or other demonstrations outside 26 Federal Plaza or other buildings containing ICE offices
- 40. New Sanctuary Coalition of New York City's Accompaniment Program
- 41. (b)(6);(b)(7)(C)
- 42.
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- 44.
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- 48.
- 49. *Coalition for Human Immigrant Rights ("CHIRLA")*

Until all potential litigation is resolved, ICE employees **must preserve all information** related to this matter. The information that must be preserved includes electronically stored information (ESI), hard copies of documents, and tangible things. Again, ESI includes, but is not limited to, computer files of any type (including word processing documents, e-mail messages, spreadsheets, calendar entries, digital photographs or other digital images, floppy discs, CDs, DVDs, and flash memory media, including USB drives and memory cards for cameras and cell phones). It includes not only information stored on agency computers but can also include information stored on home computers, personal laptop computers, PDAs such as Palm Pilots and Blackberries, and mobile phones, if used for work. Examples of hard copy documents that must be retained may include personal or desk files, calendars, notes, correspondence, policies, manuals, or other things relevant to the case. Examples of tangible things may include equipment salvaged from a facility, laboratory samples, specimens, and photographs. All information, including privileged, protected, and confidential information, must be preserved. Preserving information includes marking the information as subject to a litigation hold so that it can be easily identified and separated from the records destruction schedule.

If potentially relevant ESI has not been preserved, please immediately contact your IT staff. Under some circumstances, IT staff may be able to recover information. You should take steps to ensure that ESI is preserved in such a way as to preserve the "metadata" (internal computer data) embedded in the ESI. If you do not understand what this involves, please contact your local IT staff or the Office of the Chief Information Officer (OCIO) to explain it to you and assist with specific problems you may face.

Treat non-identical copies of documents (word processing files, spreadsheets, etc.) as if they were unique and save, at a minimum, the latest version and all versions that were shared with others. Call me to assist you in determining which other intermediate drafts, if any, to save.

If you need to work with any information subject to this hold, you must create a copy of the original, preserve the original and work from the copy. Note that opening an electronic document can change the document's metadata. You must take appropriate steps, if practicable, to create your copy without changing the document's metadata. If you are unsure how to do this, contact your IT staff.

Data destruction and back-up tape recycling policies must be discontinued until the matter is resolved. If you use an auto delete function for any of your data, this function must be disabled for the information related to this case. If you sent or received text messages related to this case with a cellular phone or blackberry, please contact me at the phone number or email address below. I will help you coordinate with OCIO to ensure preservation of these messages.

Please contact me immediately in the event that you are ending your ICE employment, and I will help you make arrangements to ensure that any information and evidence contained on any electronic device you have utilized is preserved. Also, when cleaning out your workspace, any shared drives, and/or any electronic device in preparation of your separation, please be sure that you do not destroy any case-related information and evidence.

If you have reason to believe that a computer, cellular phone, or any other electronic device (including flash drives, shared drives, or external drives) that contains relevant information or evidence may be reformatted or its memory erased, please contact me immediately, and I will help you coordinate with OCIO to ensure that all relevant data is preserved. An example of when you may have a reason to believe that an electronic device may be reformatted or its memory erased is when you exchange, return, or discontinue the use of an assigned computer, cellular phone, or other electronic device that has been issued to you.

Because the duty to preserve relevant information and evidence continues until you are notified that the case is concluded, please be mindful of the fact that information and evidence that is created or obtained by ICE employees *in the future* must

also be retained. Accordingly, please be sure to distribute this memorandum to employees who may create case-related information or evidence in the future, including new employees, transferees, or employees who have been reassigned.

Failure to preserve and retain information may result in sanctions against ICE. Consequently, if you are unsure whether certain information should be preserved, err on the side of caution and preserve the information until you have spoken to me about it. Please be sure that this memorandum is distributed to all personnel in your office who may have been involved in, or have information pertaining to, this matter. You are also advised to document the specific actions your office takes in response to this letter.

Finally, if you have any questions about your obligation to preserve, please contact me (b)(6);(b)(7)(C) Associate Legal Advisor, at (202) 732-(b)(6);(b)(7)(C) or by email at (b)(6);(b)(7)(C)



From: (b)(6);(b)(7)(C)  
To: Decker, Thomas (b)(6);(b)(7)(C)  
Cc: (b)(6);(b)(7)(C)  
Subject: Interesting Articles that may have been missed  
Date: Thursday, August 02, 2018 5:30:38 PM

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1. **Newark-Star Ledger Op Ed by ERO-Newark FOD Tsoukaris:**

[https://www.nj.com/opinion/index.ssf/2018/08/im\\_a\\_director\\_at\\_ice\\_stop\\_putting\\_politics\\_before.html](https://www.nj.com/opinion/index.ssf/2018/08/im_a_director_at_ice_stop_putting_politics_before.html)

2. **Another Dive into the Ugly 2019 DHS Funding Bill:**

<https://cis.org/Cadman/Another-Dive-Ugly-2019-DHS-Funding-Bill>:

*[T]he funds approved are very different from what the administration requested. The mostly non-immigration part of ICE, Homeland Security Investigations (HSI), is given about 17 percent more funding than the administration requested, while Enforcement and Removal Operations (ERO), which handles deportations, is given 19 percent less than requested.*

I cannot think of a greater slap in the face to the men and women of ERO, who may be performing the hardest, most politicized work in federal law enforcement today: ensuring compliance with statutes that draw the ire of leftists, and putting the ERO agents themselves into the cross-hairs as a result.

Yet how have their ostensible compatriots and colleagues in HSI reacted? By publicly whining about having to do immigration enforcement, calling the president an idiot, and at the leadership level doing everything that they can to sidestep immigration enforcement work and throwing ERO under the bus by seeking to have the agency cleaved in half so that HSI agents no longer have to explain to recalcitrant state and local agencies in sanctuary jurisdictions why they are "different" from ERO.

And how does Congress react to this bizarre set of circumstances? By passing meaningless resolutions in favor of the hard work that ERO agents do daily, and are vilified for. But when the chips are down, where does the House Appropriations bill send the money to? The prima donnas.

3. **Judge who freed pizza guy slams Trump's 'zero tolerance' policy:**

<https://nypost.com/2018/08/01/judge-who-freed-pizza-guy-slams-trumps-zero-tolerance-policy/>

4. **What the Movement to Abolish ICE Looks Like on the Ground:**

<https://theslot.jezebel.com/what-the-movement-to-abolish-ice-looks-like-on-the-grou-1827825182>

In New York City earlier in June, during an #OccupyICENYC protest in which people blocked the entrance to an ICE processing facility in downtown Manhattan, groups like the New Sanctuary Coalition and Make the Road New York were dismayed after ICE retaliated by no longer allowing detained immigrants to appear directly before a judge, instead teleconferencing people in for their court hearings. "It was well-intentioned, but if you block that, you are doing away with a tiny slice of due process that they still have," said New Sanctuary's (b)(6);(b)(7)(C) The encampment, in consultation with local activist groups, soon moved.

5. **The Abolish ICE Movement Explained:**

<https://www.commondreams.org/views/2018/08/01/abolish-ice-movement-explained>

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 12:12:40 PM  
**Sensitivity:** Confidential

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No worries at all. It's high opstempo all around for everyone!

Vr

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
Acting Assistant Director  
Office of Intelligence  
Homeland Security Investigations

202-732-(b)(6);(b)(7)(C) desk  
202-276- cell

*aut viam inveniam aut faciam*

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, July 24, 2018 12:10 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Importance:** High  
**Sensitivity:** Confidential

Very Sorry for the BLAST, I just should have quality controlled before hitting send...

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, July 24, 2018 12:08 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Sensitivity:** Confidential

(b)(6);(b)(7)(C) thanks. This is very good info.

For future traffic on this, please be sure to add [JIQC-ICE@ice.dhs.gov](mailto:JIQC-ICE@ice.dhs.gov) instead of the ICE-Watch\_Event\_Notification. That distro is a pound distro that the JIOC uses to send its daily threat rollup reports, and its membership includes hundreds of people across the agency, including all of its senior leaders (D1, DD, EADs HSI/ERO, SACs, FODs, et etc).

Stay safe, and please let us know if Intel HQ can assist in any way.

Vr

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Acting Assistant Director  
Office of Intelligence  
Homeland Security Investigations

202-732- (b)(6);(b)(7)(C) desk  
202-276- (b)(6);(b)(7)(C) cell

*aut viam inveniam aut faciam*

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Tuesday, July 24, 2018 12:06 PM

**To:** #ICE-Watch\_Event\_Notification <[ICE-Watch\\_Event\\_Notification@ice.dhs.gov](mailto:ICE-Watch_Event_Notification@ice.dhs.gov)>

**Cc:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) FNY\_TASKING <[FNY\\_TASKING@ice.dhs.gov](mailto:FNY_TASKING@ice.dhs.gov)> (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Shanahan, Christopher <(b)(6);(b)(7)(C)>

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** ICE Protests in the NYC area

**Importance:** High

**Sensitivity:** Confidential

This email is to inform you of a planned protest at the ERO NYC Area. The protest is being coordinated by approximately 40 different groups located throughout the NYC area.

\*\*\*\*\*INTEL\*\*\*\*\*

24-Jul

Tues

9:00

12:00

Free (b)(6);(b)(7)(C)

New York Federal Courthouse (500 Pearl Street)

"Free (b)(6);(b)(7)(C) Rally at the Court"

5

24-Jul

Tues

19:00

Unk

Occupy ICE NYC

Foley Square

"Abolition Music Fest"

Ø Date: Tuesday, July 24, 2018

Event: ABOLITION MUSIC FEST!

Time: 1900 Hours

Location: Foley Square, New York, NY

Command: 5th Precinct

Organizer: Occupy ICE NYC

Event Details:

Facebook Event Page: <https://www.facebook.com/events/446173295861170/>

[cid:image002.png@01D42335.24F19D00]

Ø The Facebook event page lists the following potential attendance figures:

ü 26 listed as Going

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26-Jul

Thur

17:30

0:00

The Legal Aid Society, New Sanctuary Coalition of NY, Immigrant Defense Project, et al.

26 Federal Plaza

## "Deportee Suitcase Solidarity March"

5

Ø Date: Thursday, July 26, 2018

Event: DEPORTEE SUITCASE SOLIDARITY MARCH

Time: 1730 x 0000 (Midnight) Hours

Location: 26 Federal Plaza, New York, NY

Command: 5th Precinct

Organizer(s): The Legal Aid Society; New Sanctuary Coalition of New York City; Immigrant Defense Project; Detention Watch Network; Families Belong Together; NYU Sanctuary;

(b)(6);(b)(7)(C) And The Stop Shopping Choir; et al.

### Event Details:

Facebook Event Page: <https://www.facebook.com/events/1907934025896733/>

[cid:image006.png@01D42335.24F19D00]

Ø The Facebook event page lists the following potential attendance figures:

ü 385 listed as Going - HIGH.

ü 1,259 listed as Interested

Ø Below is a transcript of the Facebook event details:

A SUITCASE

The deportation machine has many layers. We invite you to join us in an action that will bring to light one such layer-invisible to many-that profoundly marks the lives of our friends,

our neighbors.

When Immigration and Customs Enforcement (ICE) orders our Friends deported, their loved ones can pack one 25 lb suitcase for them. Each day, people in our communities must pack such a suitcase and submit it to ICE for inspection. When they drop off these suitcases with ICE, they cannot see their loved one to say goodbye.

Some of our friends and neighbors are deported to countries they left as children, where they know no one and may not speak the language. It may be a place with little opportunity, where their sexuality is criminalized, where there is war or drought. They often face grave danger.

We are asking you to think about one person-someone you love-and imagine packing their suitcase before they were deported to a country where you might never see them again. The suitcase is everything your loved one will leave with; the suitcase contains the belongings they will start over with. We invite you to think about this choice: what objects, what pieces of clothing, what photos, what books, what letters what would you pack?

Members of our communities, our neighbors, have to make these choices every day. They have to think in these terms. They have to pack one suitcase for their loved ones.

On July 26th, at 5:30 PM, we will gather at 26 Federal Plaza in New York City to honor those who have been deported and their loved ones-and to make visible this form of invisible violence.

We ask that you bring ONE (1) OBJECT YOU WOULD PACK in your love's suitcase to 26 Federal Plaza, as we shed a light onto the deportation machine that continues to cause violence and suffering on our communities.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |

U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278  
(b)(6);(b)(7)(C)  
PH: 212-238 (b)(6);(b)(7)(C)



**From:** (b)(6);(b)(7)(C)  
**To:**  
**Cc:** JIOC-ICE; (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 12:09:11 PM  
**Sensitivity:** Confidential

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(b)(6);(b)(7)(C)

Per our conversation please use the above email address for the JIOC. Thanks, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, July 24, 2018 12:06  
**To:** #ICE-Watch\_Event\_Notification <ICE-Watch\_Event\_Notification@ice.dhs.gov>  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) FNY\_TASKING <FNY\_TASKING@ice.dhs.gov>; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Shanahan, Christopher (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** ICE Protests in the NYC area

**Importance:** High

**Sensitivity:** Confidential

This email is to inform you of a planned protest at the ERO NYC Area. The protest is being coordinated by approximately 40 different groups located throughout the NYC area.

\*\*\*\*\*INTEL\*\*\*\*\*

24-Jul

Tues

9:00

12:00

Free (b)(6);(b)(7)(C)

New York Federal Courthouse (500 Pearl Street)

"Free (b)(6);(b)(7)(C) Rally at the Court"

5

24-Jul

Tues

19:00

Unk

Occupy ICE NYC

Foley Square

"Abolition Music Fest"

5

Ø Date: Tuesday, July 24, 2018

Event: ABOLITION MUSIC FEST!  
Time: 1900 Hours  
Location: Foley Square, New York, NY  
Command: 5th Precinct  
Organizer: Occupy ICE NYC

Event Details:

Facebook Event Page: <https://www.facebook.com/events/446173295861170/>

[cid:image002.png@01D42335.24F19D00]

Ø The Facebook event page lists the following potential attendance figures:

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26-Jul

Thur

17:30

0:00

The Legal Aid Society, New Sanctuary Coalition of NY, Immigrant Defense Project, et al.

26 Federal Plaza

"Deportee Suitcase Solidarity March"

5

Ø Date: Thursday, July 26, 2018

Event: DEPORTEE SUITCASE SOLIDARITY MARCH

Time: 1730 x 0000 (Midnight) Hours

Location: 26 Federal Plaza, New York, NY

Command: 5th Precinct

Organizer(s): The Legal Aid Society; New Sanctuary Coalition of New York City; Immigrant Defense Project; Detention Watch Network; Families Belong Together; NYU Sanctuary (b)(6);(b)(7)(C) And The Stop Shopping Choir; et al.

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We ask that you bring ONE (1) OBJECT YOU WOULD PACK in your love's suitcase to 26 Federal Plaza, as we shed a light onto the deportation machine that continues to cause violence and suffering on our communities.

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New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C), New York, NY 10278

(b)(6);(b)(7)(C)

PH: 212-238

(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 12:07:57 PM  
**Sensitivity:** Confidential

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(b)(6);(b)(7)(C) Thanks. This is very good info.

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Stay safe, and please let us know if Intel HQ can assist in any way.

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(b)(6);(b)(7)(C)  
Acting Assistant Director  
Office of Intelligence  
Homeland Security Investigations

202-732-(b)(6);(b)(7)(C) desk  
202-276-(b)(6);(b)(7)(C) cell

*aut viam inveniam aut faciam*

---

**From:** (b)(6);(b)(7)(C)  
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**To:** #ICE-Watch\_Event\_Notification <ICE-Watch\_Event\_Notification@ice.dhs.gov>  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) FNY\_TASKING <FNY\_TASKING@ice.dhs.gov>; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C) Shanahan, Christopher (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

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**Importance:** High

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(b)(6);(b)(7)(C)

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Foley Square

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Command: 5th Precinct

Organizer: Occupy ICE NYC

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Ø Below is a transcript of the Facebook event details:

## A SUITCASE

The deportation machine has many layers. We invite you to join us in an action that will bring to light one such layer-invisible to many-that profoundly marks the lives of our friends, our neighbors.

When Immigration and Customs Enforcement (ICE) orders our Friends deported, their loved ones can pack one 25 lb suitcase for them. Each day, people in our communities must pack such a suitcase and submit it to ICE for inspection. When they drop off these suitcases with ICE, they cannot see their loved one to say goodbye.

Some of our friends and neighbors are deported to countries they left as children, where they know no one and may not speak the language. It may be a place with little opportunity, where their sexuality is criminalized, where there is war or drought. They often face grave danger.

We are asking you to think about one person-someone you love-and imagine packing their suitcase before they were deported to a country where you might never see them again. The suitcase is everything your loved one will leave with; the suitcase contains the belongings they will start over with. We invite you to think about this choice: what objects, what pieces of clothing, what photos, what books, what letters what would you pack?

Members of our communities, our neighbors, have to make these choices every day. They have to think in these terms. They have to pack one suitcase for their loved ones.

On July 26th, at 5:30 PM, we will gather at 26 Federal Plaza in New York City to honor those who have been deported and their loved ones-and to make visible this form of invisible violence.

We ask that you bring ONE (1) OBJECT YOU WOULD PACK in your love's suitcase to 26 Federal Plaza, as we shed a light onto the deportation machine that continues to cause violence and suffering on

our communities.

(b)(6);(b)(7)(C)

Deputy Field Office Director

New York Field Office

Department of Homeland Security |

U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

26 Federal Plaza (b)(6);(b)(7)(C) New York, NY 10278

(b)(6);(b)(7)(C)

PH: 212-238 (b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 12:27:51 PM  
**Sensitivity:** Confidential

---

Send Shanahan to be the ICE spokesman!

Sent with BlackBerry Work  
(www.blackberry.com)

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 24, 2018, 12:05 PM  
**To:** #ICE-Watch\_Event\_Notification <ICE-Watch\_Event\_Notification@ice.dhs.gov>  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)  
FNY\_TASKING <FNY\_TASKING@ice.dhs.gov>, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C), Shanahan, Christopher (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** ICE Protests in the NYC area

This email is to inform you of a planned protest at the ERO NYC Area. The protest is being coordinated by approximately 40 different groups located throughout the NYC area.

\*\*\*\*\*INTEL\*\*\*\*\*

24-Jul

Tues

9:00

12:00

Free (b)(6);(b)(7)(C)

New York Federal Courthouse (500 Pearl Street)

"Free (b)(6);(b)(7)(C) Rally at the Court"

5

24-Jul

Tues

19:00

Unk

Occupy ICE NYC

Foley Square

"Abolition Music Fest"

5

Ø Date: Tuesday, July 24, 2018

Event: ABOLITION MUSIC FEST!

Time: 1900 Hours

Location: Foley Square, New York, NY

Command: 5th Precinct

Organizer: Occupy ICE NYC

Event Details:

Facebook Event Page: <https://www.facebook.com/events/446173295861170/>

[cid:image002.png@01D42335.24F19D00]

Ø The Facebook event page lists the following potential attendance figures:

ü 26 listed as Going

::

::

::

26-Jul

Thur

17:30

0:00

The Legal Aid Society, New Sanctuary Coalition of NY, Immigrant Defense Project, et al.

26 Federal Plaza

"Deportee Suitcase Solidarity March"

5

Ø Date: Thursday, July 26, 2018

Event: DEPORTEE SUITCASE SOLIDARITY MARCH

Time: 1730 x 0000 (Midnight) Hours

Location: 26 Federal Plaza, New York, NY

Command: 5th Precinct

Organizer(s): The Legal Aid Society; New Sanctuary Coalition of New York City; Immigrant Defense

Project; Detention Watch Network; Families Belong Together; NYU Sanctuary (b)(6);(b)(7)(C) And  
The Stop Shopping Choir; et al.

Event Details:

Facebook Event Page: <https://www.facebook.com/events/1907934025896733/>

[cid:image006.png@01D42335.24F19D00]

Ø The Facebook event page lists the following potential attendance figures:

ü 385 listed as Going - HIGH.

ü 1,259 listed as Interested

Ø Below is a transcript of the Facebook event details:

A SUITCASE

The deportation machine has many layers. We invite you to join us in an action that will bring to light one such layer-invisible to many-that profoundly marks the lives of our friends, our neighbors.

When Immigration and Customs Enforcement (ICE) orders our Friends deported, their loved ones can pack one 25 lb suitcase for them. Each day, people in our communities must pack such a suitcase and submit it to ICE for inspection. When they drop off these suitcases with ICE, they cannot see their loved one to say goodbye.

Some of our friends and neighbors are deported to countries they left as children, where they know no one and may not speak the language. It may be a place with little opportunity, where their sexuality is criminalized, where there is war or drought. They often face grave danger.

We are asking you to think about one person-someone you love-and imagine packing their suitcase before they were deported to a country where you might never see them again. The suitcase is everything your loved one will leave with; the suitcase contains the belongings they will start over with. We invite you to think about this choice: what objects, what pieces of clothing, what photos, what books, what letters what would you pack?

Members of our communities, our neighbors, have to make these choices every day. They have to think in these terms. They have to pack one suitcase for their loved ones.

On July 26th, at 5:30 PM, we will gather at 26 Federal Plaza in New York City to honor those who have been deported and their loved ones-and to make visible this form of invisible violence.

We ask that you bring ONE (1) OBJECT YOU WOULD PACK in your love's suitcase to 26 Federal Plaza, as we shed a light onto the deportation machine that continues to cause violence and suffering on our communities.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278

(b)(6);(b)(7)(C)

PH: 212-238- (b)(6);(b)(7)(C)



**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:**  
**Date:** Thursday, February 15, 2018 9:43:58 AM  
**Attachments:** (b)(6);(b)(7)(C) proposed Joint Motion to Reopen and Remand Cover Letter and G-28s.pdf  
(b)(6);(b)(7)(C) Declaration.pdf  
JMTR denial 01-11-18.pdf  
Original Scheduling Order and Stay of Removal.pdf  
verified complaint.pdf  
Original Scheduling Order and Stay of Removal.pdf  
**Importance:** High  
**Sensitivity:** Confidential

---

More to follow

(b)(6);(b)(7)(C)  
Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278  
PH: 212-238-(b)(6);(b)(7)(C)

IMMIGRANT RIGHTS CLINIC  
WASHINGTON SQUARE LEGAL SERVICES, INC.  
NEW YORK UNIVERSITY SCHOOL OF LAW  
245 SULLIVAN STREET, 5TH FLOOR  
NEW YORK, NEW YORK 10012  
TEL: 212-998-6430  
FAX: 212-995-4031

(b)(6);(b)(7)(C)

*Supervising Attorneys*

(b)(6);(b)(7)(C)

*Legal Interns*

Wen-Ting Cheng, Chief Counsel  
U.S. Department of Homeland Security  
Immigrations and Customs Enforcement  
Office of the Chief Counsel  
26 Federal Plaza (b)(6);(b)(7)(C)  
New York, NY, 10278

December 7, 2017

(b)(6);(b)(7)(C)

Re:

(b)(6);(b)(7)(C)

**Request to Join Motion to Reopen and Remand**

Dear Chief Counsel Cheng,

We represent Respondent (b)(6);(b)(7)(C) in his ongoing immigration case. We appreciate your willingness to speak with us about this case in the past, and we hope that we might meet again to discuss a new opportunity that has arisen to find a permanent resolution to (b)(6);(b)(7)(C) case.

As you know, over the years we have attempted to challenge the designation of (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**I. Family Background and Procedural History**

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) is not inadmissible under INA § 212(a). These arguments were previously presented to the Board but it declined to exercise its sua sponte authority at the time.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

We would appreciate the opportunity to speak with you further regarding this request. If you are amenable to meeting in person to discuss this, we will gladly make ourselves available any time in December that would be convenient to you. Because (b)(6);(b)(7)(C) stay expires in January (unless renewed, as we hope it will be, by Director Decker), we hope that we may speak soon if possible. We can be contacted via email at (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) and (b)(6);(b)(7)(C) Thank you for your consideration.

Sincerely,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Student Representative  
Student Representative

Immigrant Rights Clinic  
Washington Square Legal Services  
New York University School of Law

*Enclosures:*

Form G-28, Notice of Entry of Appearance

Proposed Joint Motion to Reopen and Remand Proceedings and attached Exhibits A-LL



Notice of Entry of Appearance  
as Attorney or Accredited Representative

Department of Homeland Security

DHS  
Form G-28  
OMB No. 1615-0105  
Expires 03/31/2018

**Part 1. Information About Attorney or Accredited Representative**

1. USCIS ELIS Account Number (if any)

▶

**Name and Address of Attorney or Accredited Representative**

2.a. Family Name  
(Last Name)

(b)(6);(b)(7)(C)

2.b. Given Name  
(First Name)

2.c. Middle Name

3.a. Street Number and Name

(b)(6);(b)(7)(C)

3.b. Apt. ☐ Ste. ☐ Flr. ☒

(b)(6);(b)(7)(C)

3.c. City or Town

New York

3.d. State

NY

3.e. ZIP Code

10012

3.f. Province

3.g. Postal Code

3.h. Country

USA

4. Daytime Telephone Number

21295 (b)(6);(b)(7)(C)

5. Fax Number

2129954031

6. E-Mail Address (if any)

(b)(6);(b)(7)(C)

7. Mobile Telephone Number (if any)

**Part 2. Notice of Appearance as Attorney or Accredited Representative**

This appearance relates to immigration matters before  
(Select **only one box**):

1.a. ☐ USCIS

1.b. List the form numbers

2.a. ☒ ICE

2.b. List the specific matter in which appearance is entered

Joint Motion to Reopen

3.a. ☐ CBP

3.b. List the specific matter in which appearance is entered

I enter my appearance as attorney or accredited representative at  
the request of:

4. Select **only one box**:

☐ Applicant ☐ Petitioner ☐ Requestor

☒ Respondent (ICE, CBP)

**Information About Applicant, Petitioner,  
Requestor, or Respondent**

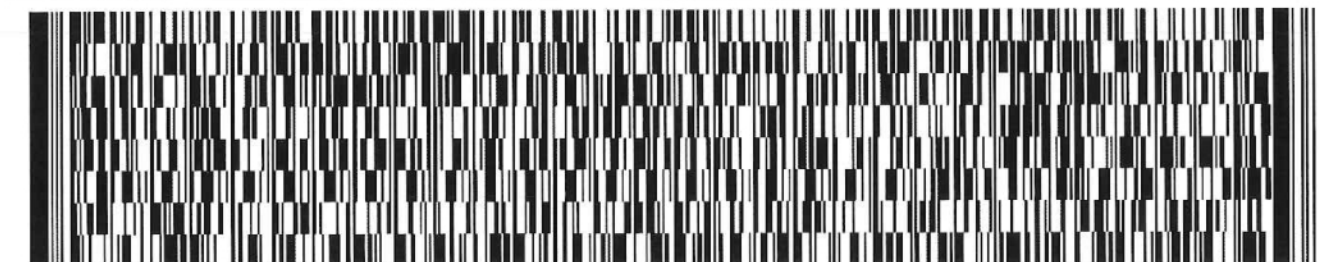
5.a. Family Name  
(Last Name)

(b)(6);(b)(7)(C)

5.b. Given Name  
(First Name)

5.c. Middle Name

6. Name of Company or Organization (if applicable)



**Part 2. Notice of Appearance as Attorney or Accredited Representative (continued)**

**Information About Applicant, Petitioner, Requestor, or Respondent (continued)**

7. USCIS ELIS Account Number (if any)  
▶
8. Alien Registration Number (A-Number) or Receipt Number  
(b)(6);(b)(7)(C)
9. Daytime Telephone Number  
91756 (b)(6);(b)(7)(C)
10. Mobile Telephone Number (if any)
11. E-Mail Address (if any)

**Mailing Address of Applicant, Petitioner, Requestor, or Respondent**

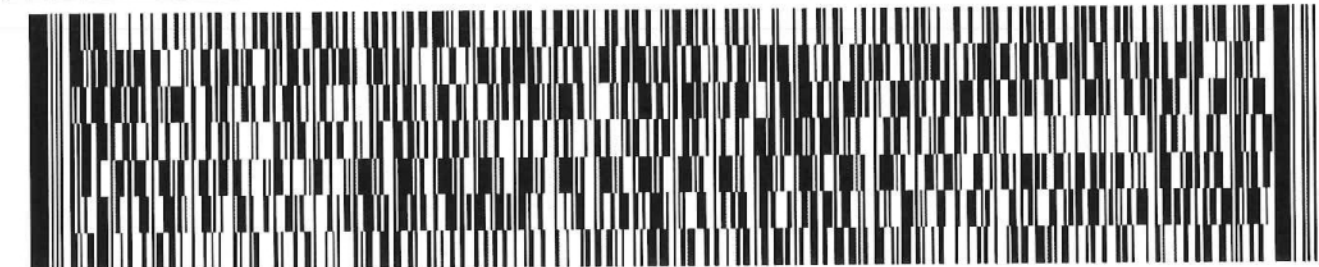
**NOTE:** Provide the mailing address of the applicant, petitioner, requestor, or respondent. **Do not** provide the business mailing address of the attorney or accredited representative **unless** it serves as the safe mailing address on the application, petition, or request being filed with this Form G-28.

- 12.a. Street Number and Name (b)(6);(b)(7)(C)
- 12.b. Apt. ☒ Ste. ☐ Flr. ☐ (b)(6);(b)(7)(C)
- 12.c. City or Town (b)(6);(b)(7)(C)
- 12.d. State (b)(6);(b)(7)(C)  12.e. ZIP Code (b)(6);(b)(7)(C)
- 12.f. Province
- 12.g. Postal Code
- 12.h. Country  
USA

**Part 3. Eligibility Information for Attorney or Accredited Representative**

Select **all** applicable items.

- 1.a. ☒ I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest courts of the following states, possessions, territories, commonwealths, or the District of Columbia. (If you need additional space, use **Part 6**.)  
Licensing Authority  
N.Y. App. Div. 2d Dept.
- 1.b. Bar Number (if applicable)  
(b)(6);(b)(7)(C)
- 1.c. Name of Law Firm  
Washington Square Legal Serv.
- 1.d. I (choose one) ☒ **am not** ☐ **am** subject to any order of any court or administrative agency disbarring, suspending, enjoining, restraining, or otherwise restricting me in the practice of law. If you are subject to any orders, explain in the space below. (If you need additional space, use **Part 6**.)
- 2.a. ☐ I am an accredited representative of the following qualified nonprofit religious, charitable, social service, or similar organization established in the United States, so recognized by the Department of Justice, Board of Immigration Appeals, in accordance with 8 CFR 292.2. Provide the name of the organization and the expiration date of accreditation.
- 2.b. Name of Recognized Organization
- 2.c. Date accreditation expires  
(mm/dd/yyyy) ▶



**Part 3. Eligibility Information for Attorney or Accredited Representative (continued)**

3. ☐ I am associated with \_\_\_\_\_,  
the attorney or accredited representative of record who previously filed Form G-28 in this case, and my appearance as an attorney or accredited representative is at his or her request.

**NOTE:** If you select this item, also complete **Item Numbers 1.a. - 1.b. or Item Numbers 2.a. - 2.c. in Part 3.** (whichever is appropriate).

- 4.a. ☐ I am a law student or law graduate working under the direct supervision of the attorney or accredited representative of record on this form in accordance with the requirements in 8 CFR 292.1(a)(2)(iv).

- 4.b. Name of Law Student or Law Graduate

**Part 4. Applicant, Petitioner, Requestor, or Respondent Consent to Representation, Contact Information, and Signature**

**Consent to Representation and Release of Information**

1. I have requested the representation of and consented to being represented by the attorney or accredited representative named in **Part 1.** of this form. According to the Privacy Act of 1974 and DHS policy, I also consent to the disclosure to the named attorney or accredited representative of any record pertaining to me that appears in any system of records of USCIS, ICE or CBP.

When you (the applicant, petitioner, requestor, or respondent) are represented, DIIS will send notices to both you and your attorney or accredited representative either through mail or electronic delivery.

DHS will also send the Form I-94, Arrival Departure Record, to you **unless** you select **Item Number 2.a.** in **Part 4.** All secure identity documents and Travel Documents will be sent to you (the applicant, petitioner, requestor, or respondent) at your U.S. mailing address **unless** you ask us to send your secure identity documents to your attorney of record or accredited representative.

If you do not want to receive original notices or secure identity documents directly, but would rather have such notices and documents sent to your attorney of record or accredited representative, please select **all applicable** boxes below:

- 2.a. ☒ I request DIIS send any notice (including Form I-94) on an application, petition, or request to the U.S. business address of my attorney of record or accredited representative as listed in this form. I understand that I may change this election at any future date through written notice to DHS.
- 2.b. ☐ I request that DIIS send any secure identity document, such as a Permanent Resident Card, Employment Authorization Document, or Travel Document, that I am approved to receive and authorized to possess, to the U.S. business address of my attorney of record or accredited representative as listed in this form or to a designated military or diplomatic address for pickup in a foreign country (if permitted). I consent to having my secure identity document sent to my attorney of record or accredited representative's U.S. business address and understand that I may request, at any future date and through written notice to DHS, that DHS send any secure identity document to me directly.

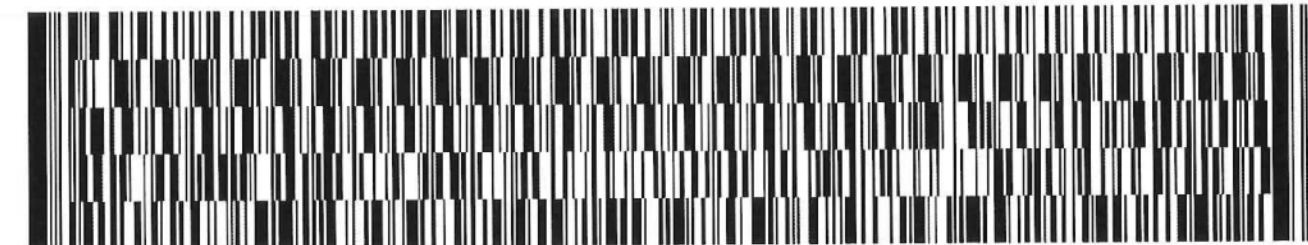
3. (b)(6);(b)(7)(C) Requestor, or

- 3.b. Date of Signature (mm/dd/yyyy) 12/01/2017

**Part 5. Signature of Attorney or Accredited Representative**

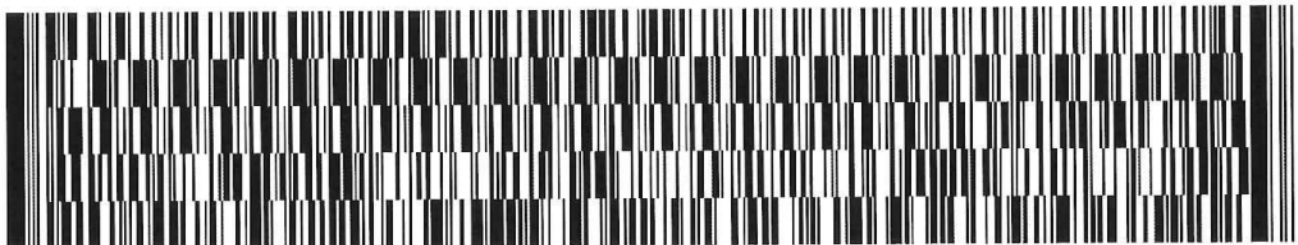
I have read and understand the regulations and conditions contained in 8 CFR 103.2 and 292 governing appearances and representation before the Department of Homeland Security. I declare under penalty of perjury under the laws of the United States that the information I have provided on this form is true and correct.

1. (b)(6);(b)(7)(C) representative
2. Signature of Law Student or Law Graduate
3. Date of Signature (mm/dd/yyyy) 12/7/2017





Use the space provided below to provide additional information pertaining to **Part 3., Item Numbers 1.a. - 1.d.** or to provide your U.S. business address for purposes of receiving secure identity documents for your client (if your client has consented to your receipt of such documents under **Part 4.**)

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



Notice of Entry of Appearance  
as Attorney or Accredited Representative

Department of Homeland Security

DHS  
Form G-28

OMB No. 1615-0105

Expires 03/31/2018

Part 1. Information About Attorney or  
Accredited Representative

1. USCIS ELIS Account Number (if any)

▶

Name and Address of Attorney or Accredited  
Representative

2.a. Family Name (Last Name) (b)(6);(b)(7)(C)

2.b. Given Name (First Name)

2.c. Middle Name

3.a. Street Number and Name (b)(6);(b)(7)(C)

3.b. Apt. ☐ Ste. ☐ Flr. ☒ (b)(6);(b)(7)(C)

3.c. City or Town New York

3.d. State NY 3.e. ZIP Code 10012

3.f. Province

3.g. Postal Code

3.h. Country USA

4. Daytime Telephone Number 21299 (b)(6);(b)(7)(C)

5. Fax Number 21299 (b)(6);(b)(7)(C)

6. E-Mail Address (if any) (b)(6);(b)(7)(C)

7. Mobile Telephone Number (if any)

Part 2. Notice of Appearance as Attorney or  
Accredited Representative

This appearance relates to immigration matters before  
(Select only one box):

1.a. ☐ USCIS

1.b. List the form numbers

2.a. ☒ ICE

2.b. List the specific matter in which appearance is entered

Joint Motion to Reopen

3.a. ☐ CBP

3.b. List the specific matter in which appearance is entered

I enter my appearance as attorney or accredited representative at  
the request of:

4. Select only one box:

☐ Applicant ☐ Petitioner ☐ Requestor

☒ Respondent (ICE, CBP)

Information About Applicant, Petitioner,  
Requestor, or Respondent

5.a. Family Name (Last Name) (b)(6);(b)(7)(C)

5.b. Given Name (First Name)

5.c. Middle Name

6. Name of Company or Organization (if applicable)

**Part 2. Notice of Appearance as Attorney or Accredited Representative (continued)**

**Information About Applicant, Petitioner, Requestor, or Respondent (continued)**

7. USCIS ELIS Account Number (if any)

▶

8. Alien Registration Number (A-Number) or Receipt Number

(b)(6);(b)(7)(C)

9. Daytime Telephone Number

91756 (b)(6);(b)(7)(C)

10. Mobile Telephone Number (if any)

11. E-Mail Address (if any)

**Mailing Address of Applicant, Petitioner, Requestor, or Respondent**

**NOTE:** Provide the mailing address of the applicant, petitioner, requestor, or respondent. **Do not** provide the business mailing address of the attorney or accredited representative **unless** it serves as the safe mailing address on the application, petition, or request being filed with this Form G-28.

12.a. Street Number and Name (b)(6);(b)(7)(C)

12.b. Apt. ☒ Ste. ☐ Flr. ☐ (b)(6);(b)(7)(C)

12.c. City or Town (b)(6);(b)(7)(C)

12.d. State (b)(6);(b)(7)(C) 12.e. ZIP Code (b)(6);(b)(7)(C)

12.f. Province

12.g. Postal Code

12.h. Country  
USA

**Part 3. Eligibility Information for Attorney or Accredited Representative**

Select all applicable items.

1.a. ☒ I am an attorney eligible to practice law in, and a member in good standing of, the bar of the highest courts of the following states, possessions, territories, commonwealths, or the District of Columbia. (If you need additional space, use **Part 6**.)

Licensing Authority

N.Y. App. Div, 2d Dept.

1.b. Bar Number (if applicable)

(b)(6);(b)(7)(C)

1.c. Name of Law Firm

Washington Square Legal Serv.

1.d. I (choose one) ☒ am not ☐ am

subject to any order of any court or administrative agency disbaring, suspending, enjoining, restraining, or otherwise restricting me in the practice of law. If you are subject to any orders, explain in the space below. (If you need additional space, use **Part 6**.)

2.a. ☐ I am an accredited representative of the following qualified nonprofit religious, charitable, social service, or similar organization established in the United States, so recognized by the Department of Justice, Board of Immigration Appeals, in accordance with 8 CFR 292.2. Provide the name of the organization and the expiration date of accreditation.

2.b. Name of Recognized Organization

2.c. Date accreditation expires

(mm/dd/yyyy) ▶

**Part 3. Eligibility Information for Attorney or Accredited Representative (continued)**

3. ☐ I am associated with

the attorney or accredited representative of record who previously filed Form G-28 in this case, and my appearance as an attorney or accredited representative is at his or her request.

**NOTE:** If you select this item, also complete **Item Numbers 1.a. - 1.b. or Item Numbers 2.a. - 2.c. in Part 3.** (whichever is appropriate).

- 4.a. ☐ I am a law student or law graduate working under the direct supervision of the attorney or accredited representative of record on this form in accordance with the requirements in 8 CFR 292.1(a)(2)(iv).

- 4.b. Name of Law Student or Law Graduate

**Part 4. Applicant, Petitioner, Requestor, or Respondent Consent to Representation, Contact Information, and Signature**

**Consent to Representation and Release of Information**

1. I have requested the representation of and consented to being represented by the attorney or accredited representative named in **Part 1.** of this form. According to the Privacy Act of 1974 and DHS policy, I also consent to the disclosure to the named attorney or accredited representative of any record pertaining to me that appears in any system of records of USCIS, ICE or CBP.

When you (the applicant, petitioner, requestor, or respondent) are represented, DIIS will send notices to both you and your attorney or accredited representative either through mail or electronic delivery.

DHS will also send the Form I-94, Arrival Departure Record, to you **unless** you select **Item Number 2.a.** in **Part 4.** All secure identity documents and Travel Documents will be sent to you (the applicant, petitioner, requestor, or respondent) at your U.S. mailing address **unless** you ask us to send your secure identity documents to your attorney of record or accredited representative.

If you do not want to receive original notices or secure identity documents directly, but would rather have such notices and documents sent to your attorney of record or accredited representative, please select **all applicable** boxes below:

- 2.a. ☒ I request DIIS send any notice (including Form I-94) on an application, petition, or request to the U.S. business address of my attorney of record or accredited representative as listed in this form. I understand that I may change this election at any future date through written notice to DHS.
- 2.b. ☐ I request that DIIS send any secure identity document, such as a Permanent Resident Card, Employment Authorization Document, or Travel Document, that I am approved to receive and authorized to possess, to the U.S. business address of my attorney of record or accredited representative as listed in this form or to a designated military or diplomatic address for pickup in a foreign country (if permitted). I consent to having my secure identity document sent to my attorney of record or accredited representative's U.S. business address and understand that I may request, at any future date and through written notice to DHS, that DHS send any secure identity document to me directly.

3. (b)(6);(b)(7)(C) er, Requestor, or

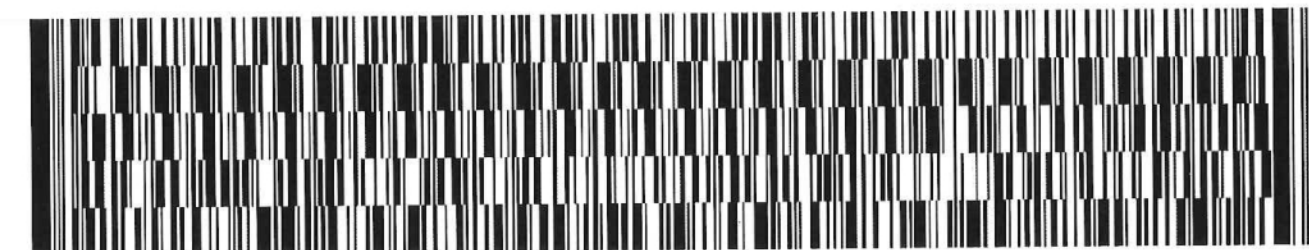
3.b. Date of Signature (mm/dd/yyyy) 12/01/2017

**Part 5. Signature of Attorney or Accredited Representative**

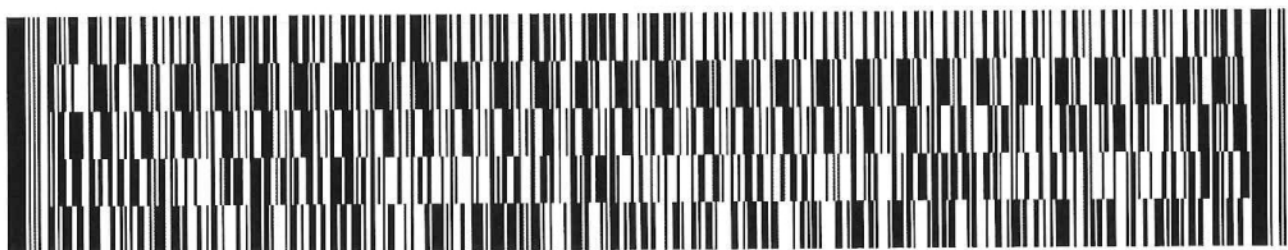
I have read and understand the regulations and conditions contained in 8 CFR 103.2 and 292 governing appearances and representation before the Department of Homeland Security. I declare under penalty of perjury under the laws of the United States that the information I have provided on this form is true and correct.

(b)(6);(b)(7)(C) representative

3. Date of Signature (mm/dd/yyyy) 12/07/2017



Use the space provided below to provide additional information pertaining to **Part 3., Item Numbers 1.a. - 1.d.** or to provide your U.S. business address for purposes of receiving secure identity documents for your client (if your client has consented to your receipt of such documents under **Part 4.**)

This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

(b)(6);(b)(7)(C)

*Petitioner,*

v.

JEFFERSON SESSIONS III, ET AL.

*Respondents.*

(b)(6);(b)(7)(C)

DECLARATION OF DEPUTY FIELD OFFICE

DIRECTOR SCOTT (b)(6);(b)(7)(C)

Pursuant to 28 U.S.C. § 1746, I, (b)(6);(b)(7)(C) hereby declare as follows:

1. I am a Deputy Field Office Director at U.S. Immigration and Customs Enforcement (“ICE”) within the U.S. Department of Homeland Security (“DHS”). Since December 2016, I have served in this capacity, and I have been an ICE and legacy Immigration and Naturalization Service employee since April 1996. As a Deputy Field Office Director, I provide support for the Field Office Director and supervise several Assistant Field Office Directors, among others, in managing the cases of aliens who are in immigration proceedings or who are subject to orders of removal.

2. I have prepared this declaration at the request of the U.S. Attorney’s Office, Southern District of New York, in connection with a Petition for a Writ of Habeas Corpus filed by the petitioner, (b)(6);(b)(7)(C) has been assigned the following Alien Number: (b)(6);(b)(7)(C) The following representations are based on my personal knowledge, as well as my review of Ragbir’s administrative file, consultation with my colleagues, and ICE electronic records and databases.

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)



(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Executed at New York, New York  
this 19 day of January, 2018.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
U.S. Immigration and Customs Enforcement  
U.S. Department of Homeland Security



U.S. Immigration  
and Customs  
Enforcement

January 11, 2018

(b)(6);(b)(7)(C)

Immigrant Rights Clinic  
Washington Square Legal Services, Inc.  
New York University School of Law  
245 Sullivan Street, 5<sup>th</sup> Floor  
New York, NY 10012

Via E-Mail: (b)(6);(b)(7)(C)

Re: Request for a Joint Motion to Reopen (b)(6);(b)(7)(C)

Dear Ms. (b)(6);(b)(7)(C)

The Department of Homeland Security ("Department") is in receipt of your December 7, 2017, request for a joint motion to reopen removal proceedings for (b)(6);(b)(7)(C). However, after careful review of your submission, relevant case law and (b)(6);(b)(7)(C) administrative file, the Department declines to join in your motion.

Regards,

A handwritten signature in black ink, appearing to read "Wen-Ting Cheng", with a large, loopy flourish extending from the bottom right.

Wen-Ting Cheng  
Chief Counsel

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

(b)(6);(b)(7)(C)

Petitioner

vs.

Jefferson SESSIONS III, in his official capacity as the Attorney General of the United States; Kirstjen NIELSEN in her official capacity as Secretary of Homeland Security; Thomas DECKER, in his official capacity as New York Field Office Director for U.S. Immigration and Customs Enforcement; (b)(6);(b)(7)(C) in his official capacity as Assistant New York Field Office Director for U.S. Immigration and Customs Enforcement; and the U.S. DEPARTMENT OF HOMELAND SECURITY.

Respondents

Case No.:

PETITIONER'S APPLICATION  
FOR ORDER TO SHOW  
CAUSE IN SUPPORT OF  
PETITION FOR WRIT OF  
HABEAS CORPUS AND  
COMPLAINT FOR  
DECLARATORY AND  
INJUNCTIVE RELIEF

Upon consideration of Petitioner's Application for Issuance of Order to Show Cause pursuant to 28 U.S.C. § 2243, the Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief pursuant to 28 U.S.C. § 2241; 28 U.S.C. § 1331; Article I, § 9, cl. 2 of the United States Constitution; the All Writs Act, 28 U.S.C. § 1651; the Administrative Procedure Act, 5 U.S.C. § 701; and the Declaratory Judgment Act, 28 U.S.C. § 2201; and the accompanying declarations and exhibits, IT IS HEREBY ORDERED that:

1. Respondents shall file a return on the Order to Show Cause why the Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief should not be granted by 1/12/18 11am (ICRF)
2. Petitioner shall have an opportunity to file a reply by 1/12/18 4pm (ICRF)
3. This matter shall be heard by this Court on January 1/12/18 at 4pm (ICRF)

4. Pending consideration, Respondents ARE HEREBY RESTRAINED from transferring Petitioner from the jurisdiction of the New York Field Office of the Office of Enforcement and Removal Operations;
5. Pending consideration, Petitioner's removal from the United States is TEMPORARILY STAYED;
6. And such other and further relief as the Court may find appropriate;
7. Service of this Order shall be effected by Petitioner on the United States Attorney for the Southern District of New York by 5:00 am on 1/11, 2018 and shall constitute good and sufficient service.

IT IS SO ORDERED.

1/11/18  
DATED

ICRF  
UNITED STATES DISTRICT JUDGE

Part 1

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: ASH Wednesday  
**Date:** Wednesday, February 14, 2018 10:39:20 AM  
**Sensitivity:** Confidential

---

I'll pass.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, February 14, 2018 10:37 AM  
**To:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: ASH Wednesday  
**Sensitivity:** Confidential

Nice, that saves us the trip of going over to the church. I certainly hope they won't discriminate against ICE officers.

(b)(6);(b)(7)(C)  
Assistant Field Office Director  
Non-Detained Case Management/Bonds  
Ofc: (212) 264 (b)(6);(b)(7)(C)  
Cell: (646) 358 (b)(6);(b)(7)(C)

*"Destiny is not a matter of chance, it is a matter of choice; it is not a thing to be waited for, it is a thing to be achieved."*

*Winston Churchill*

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, February 14, 2018 10:32 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ASH Wednesday  
**Sensitivity:** Confidential

On Wednesday, February 14, 2018 (Ash Wednesday), a demonstration will be held in front of 26 Federal Plaza by the New Sanctuary Coalition of New York City.  
New Sanctuary Coalition clergy will gather in front of ICE offices at 26 Federal Plaza to offer ashes to all who pass by, as a symbol of solidarity with individuals facing deportation as well as their families.

**God's Love Crosses Borders: Ash Wednesday at ICE Offices**

Precinct: 5th Precinct  
Event Date: Wednesday, February 14, 2018  
Time: 1000 – 1300 hours  
Location: 26 Federal Plaza (opposite Foley Square)  
Organizer/s: New Sanctuary Coalition of New York City

---



**From:** (b)(6);(b)(7)(C)

**Sent:** Wednesday, February 14, 2018 7:33 AM

**To:** (b)(6);(b)(7)(C)

**Subject:** ASH Wednesday

**Importance:** High

**Sensitivity:** Confidential

Let me know if you are going to get ashes today, let's go across the street before the meeting if you're interested

(b)(6);(b)(7)(C)

Deputy Field Office Director

New York Field Office

Department of Homeland Security |

U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

26 Federal Plaza (b)(6);(b)(7)(C) New York, NY 10278

PH: 212-238 (b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: Assistance  
**Date:** Thursday, February 15, 2018 9:09:54 AM  
**Importance:** High

---

I am familiar with those cases... please call my desk...

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:09 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Assistance

The two A #'s are (b)(6);(b)(7)(C) I can call you and discuss the allegation briefly now, or give you some time to look into things on your end. Let me know what's better for you.

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:06 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Assistance  
**Importance:** High

(b)(6);(b)(7)(C)

I will be available until noon then be available after 13:30. Do you have any case information you can provide?

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278  
PH: 212-238-(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:05 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Assistance

DFOD (b)(6);(b)(7)(C)

I received your information from OPR Jersey City. We, OPR Fairfax, VA, received an allegation that touches on two arrests made out of the ERO NYFO. I was wondering if you had sometime available to discuss this case with me today. I have an interview at 1000 today, but other than that I should be free. Please let me know if you are available for a quick call or feel free to contact me on my phone numbers listed below.

Thank you in advance,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Special Agent  
Office of Professional Responsibility  
Department of Homeland Security, ICE  
Office: (703) 877-(b)(6);(b)(7)(C)  
Cell: (646) 773-(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:** Decker, Thomas  
**Subject:** RE: ES- ERO New York (b)(6);(b)(7)(C)  
**Date:** Friday, February 09, 2018 12:51:43 PM  
**Importance:** High

---

Yes!

---

**From:** Decker, Thomas  
**Sent:** Friday, February 09, 2018 12:27 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ES- ERO New York- (b)(6);(b)(7)(C)

Thanks (b)(6);(b)(7)(C) just to confirm - FPS and everyone was advised that tomorrow was canceled?

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 12:19 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Subject:** ES- ERO New York- (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Please see attached ES, the subjects surrender for tomorrow has been postponed and re-scheduled for March 15, 2018.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza (b)(6);(b)(7)(C) New York, NY 10278  
PH: 212-238 (b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Cc:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Subject:** RE: ES- ERO New York (b)(6);(b)(7)(C)  
**Date:** Friday, February 09, 2018 12:21:55 PM

---

10-4, thank you (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Detention and Deportation Officer  
Domestic Operations Division-East: NYC, Newark, Buffalo  
ICE ERO Headquarters  
500 12th Street SW Washington, DC 20536 202-732-(b)(6);(b)(7)(C) desk) 202-246-(b)(6);(b)(7)(C) (cell)

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Friday, Feb 09, 2018, 12:19 PM

**To:** (b)(6);(b)(7)(C)  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
**Subject:** ES- ERO New York (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Please see attached ES, the subjects surrender for tomorrow has been postponed and re-scheduled for March 15, 2018.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278  
PH: 212-238-(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:** (b)(6);(b)(7)(C) Decker, Thomas (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) most recent HQ Cleared ES  
**Date:** Thursday, February 15, 2018 4:06:14 PM

---

Thanks

(b)(6);(b)(7)(C)

Acting Deputy Field Office Director  
ICE/ERO/NYC  
212-863 (b)(6);(b)(7)(C)  
973-332 (b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Feb 15, 2018 2:59 PM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) most recent HQ Cleared ES

Good afternoon ERO NYC-

Please see attached and keep for your records. For future updates, please use this version. Thank you.

Respectfully,

(b)(6);(b)(7)(C)

**Detention and Deportation Officer**  
**Domestic Operations Division-East: NYC, Newark, Buffalo**  
**ICE ERO Headquarters**  
**500 12<sup>th</sup> Street SW Washington, DC 20536 202-732 (b)(6);(b)(7)(C) (desk) 202-246 (b)(6);(b)(7)(C) (cell)**

---

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**From:** Cheng, Wen-Ting  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) Coram Nobis DNJ  
**Date:** Wednesday, February 14, 2018 7:28:30 AM

---

Not yet.

Wen Cheng  
Chief Counsel - New York  
USDHS/ICE

\* Sent via iPhone \*

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Wednesday, Feb 14, 2018, 7:03 AM  
**To:** Cheng, Wen-Ting (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) Coram Nobis DNJ

Anyword?

---

**From:** Cheng, Wen-Ting  
**Sent:** Friday, February 09, 2018 7:25 PM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) Coram Nobis DNJ

(b)(6);(b)(7)(C)

Please be advise that the district court in NJ held a hearing on the stay motion in the Coram Nobis case, but did not making a ruling. Therefore, the temporary stay in that matter remains in place. We will advise when a decision is issued.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
(212) 264-(b)(6);(b)(7)(C) or via SECTOR

***“With honor and integrity, we will safeguard the American people, our homeland, and our values.”***

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**From:** (b)(6);(b)(7)(C)  
**To:** Decker, Thomas  
**Subject:** RE: ES- ERO New York- (b)(6);(b)(7)(C)  
**Date:** Friday, February 09, 2018 12:51:43 PM  
**Importance:** High

---

Yes!

---

**From:** Decker, Thomas  
**Sent:** Friday, February 09, 2018 12:27 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ES- ERO New York- (b)(6);(b)(7)(C)

Thanks (b)(6);(b)(7)(C) just to confirm - FPS and everyone was advised that tomorrow was canceled?

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 12:19 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)  
**Subject:** ES- ERO New York (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Please see attached ES, the subjects surrender for tomorrow has been postponed and re-scheduled for March 15, 2018.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278  
PH: 212-238 (b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: HPR Op Plan for Saturday, February 10, 2018  
**Date:** Friday, February 09, 2018 9:57:46 AM

---

No , not needed operation cancelled

(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Friday, Feb 09, 2018, 8:34 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: HPR Op Plan for Saturday, February 10, 2018

?

(b)(6);(b)(7)(C)

Assistant Field Office Director  
US Immigration & Customs Enforcement  
Enforcement & Removal Operations  
New York Field Office  
(212)863-(b)(6);(b)(7)(C) desk  
(646)201-(b)(6);(b)(7)(C) cell

(b)(6);(b)(7)(C)

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 8:31 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** RE: HPR Op Plan for Saturday, February 10, 2018

Good morning (b)(6);(b)(7)(C)

This removal flight scheduled for tomorrow, February 10, 2018, has been cancelled.

Thank you for your assistance in this matter.

Regards,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement  
Telephone: (212) 264- (b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 08, 2018 12:41 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: HPR Op Plan for Saturday, February 10, 2018

Hey (b)(6);(b)(7)(C)

See below question from the CBP Attaché in (b)(6);(b)(7)(C) Do you know and if not, can you find out.

Thanks,

(b)(6);(b)(7)(C)  
*Assistant Attaché*  
*US Embassy-Kingston Jamaica*  
*Department of Homeland Security*  
*Immigration and Customs Enforcement*  
*Desk: 876-702- (b)(6);(b)(7)(C)*  
*Cell: 876-550- (b)(6);(b)(7)(C)*

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 8, 2018 12:27 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: HPR Op Plan for Saturday, February 10, 2018

Thanks (b)(6);(b)(7)(C) Seeing that ERO expects significant media attention, does your PAO have a press release ready to go if Post request something from DHS? I ask only because it has come up before.

*Regards,*

(b)(6);(b)(7)(C)  
**Senior CBP Advisor/DHS Attaché**  
**Office of International Affairs**  
**Embassy of the United States**  
(b)(6);(b)(7)(C)  
**202-704- (b)(6);(b)(7)(C) (Mobile)**  
**868-310- (b)(6);(b)(7)(C) (Local DOS Phone)**  
(b)(6);(b)(7)(C)

### **“Strengthening DHS/CBP Global Engagement”**

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 08, 2018 1:05 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** [Immigration.cio@gov.tt](mailto:Immigration.cio@gov.tt); [Immigration.piarco@gov.tt](mailto:Immigration.piarco@gov.tt); [Intelligenceunit@customs.gov.tt](mailto:Intelligenceunit@customs.gov.tt); [compt@customs.gov.tt](mailto:compt@customs.gov.tt); (b)(6);(b)(7)(C)

**Subject:** FW: HPR Op Plan for Saturday, February 10, 2018

Good afternoon Sgt. (b)(6);(b)(7)(C)

ICE is attempting this removal again, the itinerary is attached. The Officers will hand the individual over to the proper authorities (b)(6);(b)(7)(C)

Subject's information is as follows:

**ALIEN INFO**

(b)(6);(b)(7)(C)

DEPORT GROUNDS: FINAL REMOVAL ORDER; CONVICTED WIRE FRAUD  
JUSTIFICATION FOR ESCORTS: HPR; MEDIA ATTENTION

**ESCORTING OFFICERS:**

OFFICER1: (b)(6);(b)(7)(C)

OFFICER2:

OFFICER3:

**TRAVEL ITINERARY**

DP: 2/10/2018; NEW YORK, NY , USA; 1605 HR; BW 525

(b)(6);(b)(7)(C)

v/r

(b)(6);(b)(7)(C)

***Assistant Attaché***

***US Embassy*** (b)(6);(b)(7)(C)

***Department of Homeland Security***

***Immigration and Customs Enforcement***

***Desk: 876-702*** (b)(6);(b)(7)(C)

***Cell: 876-550***

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Monday, February 5, 2018 1:08 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** HPR Op Plan for Saturday, February 10, 2018

Good afternoon AAR (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Please feel free to contact me if you have any questions.

Thank you,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement  
Telephone: (212) 264-(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Cc:**  
**Subject:** RE: Latest (b)(6);(b)(7)(C) Statement  
**Date:** Friday, February 09, 2018 11:12:17 AM  
**Importance:** High

---

Thank you!

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 11:12 AM  
**To:** (b)(6);(b)(7)(C) Decker, Thomas; (b)(6);(b)(7)(C)  
**Subject:** RE: Latest (b)(6);(b)(7)(C) Statement

(b)(6);(b)(7)(C)

Thanks,

(b)(6);(b)(7)(C)  
Assistant Field Office Director  
U.S. Immigration and Customs Enforcement  
Telephone: (212) 264-(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 11:03 AM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: Latest (b)(6);(b)(7)(C) Statement  
**Importance:** High

ALCON-

(b)(6);(b)(7)(C);(b)(5)

(b)(6);(b)(7)(C) - Please verify ASAP

---

**From:** Decker, Thomas  
**Sent:** Friday, February 09, 2018 10:58 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Latest (b)(6);(b)(7)(C) Statement

(b)(6);(b)(7)(C)

I haven't had any interaction from him and/or his attorney. However I have received written requests from local politicians (not answered).

Please check with (b)(6);(b)(7)(C) as they may have additional information if any contact was made to the office/staff.

Thanks, (b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 10:47 AM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Subject:** FW: Latest (b)(6);(b)(7)(C) Statement  
**Importance:** High

Gentlemen,

Please see below question from the PAO, I'm calling her now

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 10:24 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** FW: Latest (b)(6);(b)(7)(C) Statement  
**Importance:** High

Good morning (b)(6);(b)(7)(C)

HQ is looking to send a statement regarding a new lawsuit by (b)(6);(b)(7)(C). I want to ensure the release from custody was the last interaction. Is there any additional update in his case?

(b)(6);(b)(7)(C)

Public Affairs Officer  
U.S. Immigration and Customs Enforcement  
New York HSI/ERO/OPLA/OPR  
(646) 313- (b)(6);(b)(7)(C) office  
(646) 648- (b)(6);(b)(7)(C) cell

(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 10:16 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: Latest (b)(6);(b)(7)(C) Statement  
**Importance:** High

Disregard this, I found our previously-cleared stuff. We've now released him, right?  
Is the below accurate?

**STATEMENT:**

(b)(6);(b)(7)(C);(b)(5)

(b)(6);(b)(7)(C);(b)(5)

(b)(6);(b)(7)(C)

Press Secretary  
Office of Public Affairs  
U.S. Immigration and Customs Enforcement  
Mobile: 202-595 (b)(6);(b)(7)(C)  
Desk: 202-732 (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 10:05 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** Latest (b)(6);(b)(7)(C) Statement

Can you send me the latest quote and/or statement on the (b)(6);(b)(7)(C) case? He has apparently filed a lawsuit. I'm checking with OPLA about what we can say...

Thanks!

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Press Secretary  
Office of Public Affairs  
U.S. Immigration and Customs Enforcement  
Mobile: 202-595 (b)(6);(b)(7)(C)  
Desk: 202-732 (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)



**From:** Decker, Thomas  
**To:** Cheng, Wen-Ting; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7) Coram Nobis DNJ  
**Date:** Friday, February 09, 2018 7:27:05 PM

---

Thank you!

Sent with BlackBerry Work  
(www.blackberry.com)

---

**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)

**Date:** Friday, Feb 09, 2018, 7:24 PM

**To:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** (b)(6);(b)(7)(C) Coram Nobis DNJ

Tom,

Please be advise that the district court in NJ held a hearing on the stay motion in the Coram Nobis case, but did not making a ruling. Therefore, the temporary stay in that matter remains in place. We will advise when a decision is issued.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
(212) 264- (b)(6);(b)(7)(C) or via SECTOR

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**From:** Cheng, Wen-Ting  
**To:** (b)(6);(b)(7)(C) Decker, Thomas  
**Cc:**  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment claim  
**Date:** Thursday, February 15, 2018 10:01:01 AM

---

Not yet. It is still under review by the SG's office.

(b)(6);(b)(7)(C);(b)(5)

*Wen*

Wen-Ting Cheng  
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New York, NY 10278  
(212) 264-(b)(6);(b)(7)(C) or via SECTOR

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:51 AM  
**To:** Cheng, Wen-Ting; Decker, Thomas  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment claim  
**Importance:** High

Wen-

Thank you, Has the Solicitor General appealed this ruling by the Judge?

---

**From:** Cheng, Wen-Ting  
**Sent:** Thursday, February 15, 2018 9:35 AM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) First Amendment claim

Tom, (b)(6);(b)(7)(C)

Good news – The district court has denied plaintiff’s motion to assign the First Amendment case/preliminary injunction to Judge Forrest. Plaintiffs had argued that this is a “related case” to the habeas and should stay with Judge Forrest. The USAO opposed. The assigned judge is Judge P. Kevin Castel and the assigned magistrate is Judge Andrew Peck.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
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New York, NY 10278  
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**From:** (b)(6);(b)(7)(C)  
**To:** Cheng, Wen-Ting  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment claim  
**Date:** Thursday, February 15, 2018 2:10:02 PM  
**Importance:** High

---

Thank you Wen!!

---

**From:** Cheng, Wen-Ting  
**Sent:** Thursday, February 15, 2018 2:09 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) - First Amendment claim

Also, just a heads up – we won't have a decision on the stay motion (preliminary injunction) by (b)(6);(b)(7)(C) and the temp stay will remain in place. Just wanted you to know in case you are making efforts to obtain a TD.

The reply brief is due on (b)(6);(b)(7)(C) and the AUSA says the judge will hold a hearing on the motion before rendering a decision. We don't have a hearing date yet but hope it will be soon after the briefs are due. We'll advise as soon as the judge sets a hearing date.

(b)(6);(b)(7)(C);(b)(5)

*Wen*

Wen-Ting Cheng  
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New York, NY 10278  
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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 9:51 AM  
**To:** Cheng, Wen-Ting; Decker, Thomas  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment claim  
**Importance:** High

Wen-

Thank you, Has the Solicitor General appealed this ruling by the Judge?

---

**From:** Cheng, Wen-Ting  
**Sent:** Thursday, February 15, 2018 9:35 AM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) - First Amendment claim

Tom, (b)(6);(b)(7)(C)

Good news – The district court has denied plaintiff’s motion to assign the First Amendment case/preliminary injunction to Judge Forrest. Plaintiffs had argued that this is a “related case” to the habeas and should stay with Judge Forrest. The USAO opposed. The assigned judge is Judge P. Kevin Castel and the assigned magistrate is Judge Andrew Peck.

*Wen*

Wen-Ting Cheng  
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New York, NY 10278  
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**From:** Cheng, Wen-Ting  
**To:** (b)(6);(b)(7)(C) Decker, Thomas  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7) First Amendment claim  
**Date:** Friday, February 16, 2018 9:21:49 AM

---

Thanks (b)(6);(b)(7)(C) Just to clarify – this is a hearing on the motion for preliminary injunction (stay); not the First Amendment claim itself. We don't know if the judge will rule from the bench that day, but it is possible.

*Wen*

Wen-Ting Cheng  
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Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
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New York, NY 10278  
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**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 16, 2018 9:18 AM  
**To:** Cheng, Wen-Ting; Decker, Thomas  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment claim

Wen

Thank you , i will discuss with Tom on Monday.

(b)(6);(b)(7)(C)  
Deputy Field Office Director  
DHS-ICE  
New York, NY

---

**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)  
**Date:** Friday, Feb 16, 2018, 9:00 AM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment claim

(b)(6);(b)(7)(C)

Tom

(b)(6);(b)(7)(C)

Judge Castel has scheduled a hearing on the Preliminary Injunction motion for (b)(6);(b)(7)(C) a.m. If I recall correctly, (b)(6);(b)(7)(C) has a reporting on that date. (b)(5)

(b)(5)

Thank you.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
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26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
(212) 264 (b)(6);(b)(7)(C) or via SECTOR

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---

**From:** Cheng, Wen-Ting  
**Sent:** Thursday, February 15, 2018 9:35 AM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) - First Amendment claim

Tom, (b)(6);(b)(7)(C)

Good news – The district court has denied plaintiff’s motion to assign the First Amendment case/preliminary injunction to Judge Forrest. Plaintiffs had argued that this is a “related case” to the habeas and should stay with Judge Forrest. The USAO opposed. The assigned judge is Judge P. Kevin Castel and the assigned magistrate is Judge Andrew Peck.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
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New York, NY 10278  
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**From:** (b)(6);(b)(7)(C)  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) - First Amendment lawsuit and order to show cause being filed today  
**Date:** Friday, February 09, 2018 8:28:27 AM

---

Good morning (b)(6);(b)(7)(C)

Can you send me a copy of the order granting the stay? I want to update the ES but don't know which court issued the stay.

Thank you,

(b)(6);(b)(7)(C)  
Assistant Field Office Director  
U.S. Immigration and Customs Enforcement  
Telephone: (212) 264-(b)(6);(b)(7)(C)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 08, 2018 7:30 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: (b)(6);(b)(7)(C) - First Amendment lawsuit and order to show cause being filed today

Saturday is cancelled. (b)(6);(b)(7)(C) please contact Ms. (b)(6);(b)(7)(C) tomorrow and advise her that her clients report date has been pushed right until (b)(6);(b)(7)(C)

We will get with OPLA in the morning to discuss the language for the G-56.

(b)(6);(b)(7)(C)  
Deputy Field Office Director  
DHS-ICE  
New York, NY

---

**From:** Decker, Thomas (b)(6);(b)(7)(C)  
**Date:** Thursday, Feb 08, 2018, 7:26 PM  
**To:** (b)(6);(b)(7)(C) Cheng, Wen-Ting (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

Sure, thanks

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([www.blackberry.com](http://www.blackberry.com))

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Thursday, Feb 08, 2018, 7:25 PM

**To:** Decker, Thomas (b)(6);(b)(7)(C) Cheng, Wen-Ting (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

Roger , I will inform AFOD (b)(6);(b)(7)(C);(b)(5) , is that okay with you ?

(b)(6);(b)(7)(C)  
Deputy Field Office Director  
DHS-ICE  
New York, NY

---

**From:** Decker, Thomas (b)(6);(b)(7)(C)  
**Date:** Thursday, Feb 08, 2018, 7:23 PM  
**To:** Cheng, Wen-Ting (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

(b)(6);(b)(7)(C)

Go ahead and cancel Saturday and (b)(6);(b)(7)(C) can contact the attorney to arrange a new reporting date.

Thanks, Tom

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**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)  
**Date:** Thursday, Feb 08, 2018, 7:10 PM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today

Tom, (b)(6);(b)(7)(C)

Attached is the temporary stay signed by the judge. We are still waiting to receive a copy of First Amendment complaint and will forward when we receive it.

AUSA will be sending a formal preservation letter within the next few days, but in the meantime, we should preserve and retain all potentially relevant documents and materials to this litigation. This includes both paper and electronic records. Please let us know if you have any questions.

Thanks.

**Wen**

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
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---

**From:** Cheng, Wen-Ting  
**Sent:** Thursday, February 08, 2018 12:54 PM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) First Amendment lawsuit and order to show cause being filed today  
Tom, (b)(6);(b)(7)(C)

Heads up, (b)(6);(b)(7)(C) attys are filing a 1<sup>st</sup> Amendment claim against the agency. We expect a temporary stay to be issued today or tomorrow. We're in contact with the USAO and will brief you later this afternoon.

This is just a heads up at this point. (b)(5)

(b)(7)(E) Is 4pm a good time?

Thanks. Wen

**Wen**

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
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26 Federal Plaza (b)(6);(b)(7)(C)  
New York, NY 10278  
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**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** FW: (b)(6);(b)(7)(C) Temporary Stay Entered  
**Date:** Friday, July 20, 2018 7:41:48 PM

---

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278

---

**From:** Decker, Thomas (b)(6);(b)(7)(C)  
**Date:** Friday, Jul 20, 2018, 10:22 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Cheng, Wen-Ting (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) Temporary Stay Entered

Good morning (b)(6);(b)(7)(C)

Thank you for the update.

Have a great weekend! Tom

Sent with BlackBerry Work  
(www.blackberry.com)

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**From:** (b)(6);(b)(7)(C)  
**Date:** Friday, Jul 20, 2018, 11:19 AM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)  
**Cc:** Cheng, Wen-Ting (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C) - Temporary Stay Entered

Tom,

Good Morning: Yesterday, the Second Circuit issued the attached order granting a temporary stay of removal pending (b)(6);(b)(7)(C) pending appeal of the district court's denial of a preliminary injunction. Oral argument is scheduled for (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(5)

We

will keep you posted as to any developments. Thank you.

(b)(6);(b)(7)(C)

Deputy Chief Counsel  
Department of Homeland Security  
Immigration and Customs Enforcement

Office of the Chief Counsel

201 Varick Street, (b)(6);(b)(7)(C)

New York, NY 10014

Phone: (212) 863 (b)(6);(b)(7)(C)

Email (b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**To:** (b)(6);(b)(7)(C) Decker, Thomas; (b)(6);(b)(7)(C)  
**Cc:** Cheng, Wen-Ting; (b)(6);(b)(7)(C)  
**Subject:** RE: Emailing: City Councilman Jumaane Williams found guilty of of obstructing ambulance  
**Date:** Tuesday, August 07, 2018 9:59:00 AM  
**Importance:** High

---

And the Judge stated "Your heart was in the right place".... LMAO

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, August 07, 2018 9:58 AM  
**To:** (b)(6);(b)(7)(C) Decker, Thomas  
(b)(6);(b)(7)(C)  
**Cc:** Cheng, Wen-Ting; (b)(6);(b)(7)(C)  
**Subject:** RE: Emailing: City Councilman Jumaane Williams found guilty of of obstructing ambulance

The panel said that the not-guilty verdict partly stemmed from concerns over the police's role in the deportation.

The wheels continue to fall off of the wagon.....

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, August 07, 2018 9:55 AM  
**To:** Decker, Thomas; (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)  
**Cc:** Cheng, Wen-Ting; (b)(6);(b)(7)(C)  
**Subject:** Emailing: City Councilman Jumaane Williams found guilty of of obstructing ambulance

**Thanks for contacting us. We've received your submission.**

**Back to Reading**

•

## Jumaane Williams found guilty of obstructing ambulance

By Rebecca Rosenberg

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August 6, 2018 | 7:52pm | Updated August 6, 2018 | 9:36pm

Jumaane Williams



Jumaane Williams Steven Hirsch

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**Prosecutors: Jumaane Williams had no right to block activist's ambulance**

City Councilman Jumaane Williams was convicted Monday of blocking an ambulance to protest the deportation of his friend — but was found not guilty of obstructing police efforts to move him out of the street.

The lieutenant governor candidate and dozens of other protesters stood in front of the FDNY vehicle, which was trying to take immigrant-rights activist Ravi Ragbir to the hospital.

Ragbir fainted Jan. 11 during a check-in with US Immigration and Customs Enforcement, who



had just ordered his immediate deportation.

Although Williams faced up to a year in jail, Judge Steven Statsinger sentenced him to time served, which amounted to a few hours he had spent in custody.

“I believed and I still believe, sir, your heart was in the right place,” the judge told Williams shortly after the jurors reached their verdict in Manhattan Criminal Court. “Your moral compass, which is otherwise, as far as I can tell completely accurate, just went a little awry.”

It took the panel of six jurors about two hours to find Williams, 41, guilty of obstructing emergency medical services and to acquit him of obstructing governmental administration and disorderly conduct.

Jury foreman Eric Declercq said that Williams wasn’t justified in impeding the ambulance.

“We felt Mr. Williams was a good guy,” Declercq said. “But he can’t stand in front of an ambulance. No one has that right.”

The ambulance, which defense lawyers Ron Kuby and Rhiya Trivedi referred to as a deportation vehicle, was called at Ragbir’s request.

The panel said that the not-guilty verdict partly stemmed from concerns over the police’s role in the deportation.

Juror number 5, Adam Swire, said the EMS response appeared to be by the book, while the police response raised “a real question as to whether city resources were being used to enforce a federal immigration action.”

Williams, who is running for lieutenant governor, was the only protester to press for trial. The 17 others took dismissal deals.

On the stand, Williams said he felt morally compelled to stop an illegal deportation. On cross-examination by prosecutor Ryan Hayward, Williams conceded that he didn’t know at the time whether there was a medical emergency.

Ragbir, who is from Trinidad, was convicted of wire fraud in 2000, prompting the deportation order, which he has been fighting for more than a decade.

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Filed under deportation , jumaane williams , protests

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Witnesses saw woman carrying basket before dead baby washe...

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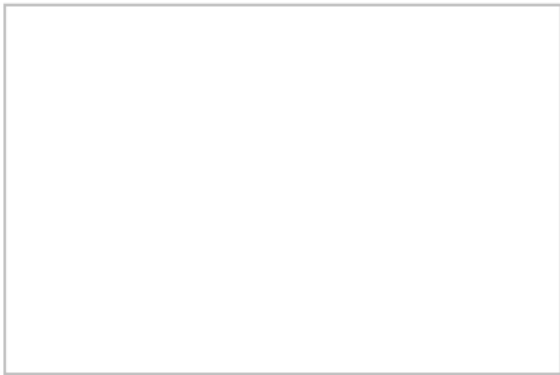
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**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 12:13:00 PM  
**Importance:** High  
**Sensitivity:** Confidential

---

I did send it to the DSAC (b)(6);(b)(7)(C) HSI-NYC

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, July 24, 2018 12:13 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Sensitivity:** Confidential

No worries at all. It's high opstempo all around for everyone!

Vr

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Acting Assistant Director  
Office of Intelligence  
Homeland Security Investigations

202-732 (b)(6);(b)(7)(C) desk  
202-276 (b)(6);(b)(7)(C) cell

*aut viam inveniam aut faciam*

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, July 24, 2018 12:10 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Importance:** High  
**Sensitivity:** Confidential

Very Sorry for the BLAST, I just should have quality controlled before hitting send...

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Tuesday, July 24, 2018 12:08 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Sensitivity:** Confidential

(b)(6);(b)(7)(C) thanks. This is very good info.

For future traffic on this, please be sure to add [JIOC-ICE@ice.dhs.gov](mailto:JIOC-ICE@ice.dhs.gov) instead of the ICE-Watch\_Event\_Notification. That distro is a pound distro that the JIOC uses to send its daily threat rollup reports, and its membership includes hundreds of people across the agency, including all of its senior leaders (D1, DD, EADs HSI/ERO, SACs, FODs, et etc).

Stay safe, and please let us know if Intel HQ can assist in any way.

Vr

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Acting Assistant Director  
Office of Intelligence  
Homeland Security Investigations

202-732 (b)(6);(b)(7)(C) desk  
202-276 (b)(6);(b)(7)(C) cell

*aut viam inveniam aut faciam*

---

**From** (b)(6);(b)(7)(C)

**Sent:** Tuesday, July 24, 2018 12:06 PM

**To:** #ICE-Watch\_Event\_Notification <[ICE-Watch\\_Event\\_Notification@ice.dhs.gov](mailto:ICE-Watch_Event_Notification@ice.dhs.gov)>

**Cc:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C); FNY\_TASKING <[FNY\\_TASKING@ice.dhs.gov](mailto:FNY_TASKING@ice.dhs.gov)>;

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Shanahan, Christopher

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** ICE Protests in the NYC area

**Importance:** High

**Sensitivity:** Confidential

This email is to inform you of a planned protest at the ERO NYC Area. The protest is being coordinated by approximately 40 different groups located throughout the NYC area.

\*\*\*\*\*INTEL\*\*\*\*\*

24-Jul

Tues

9:00

12:00

Free (b)(6);(b)(7)(C)

New York Federal Courthouse (500 Pearl Street)

"Free (b)(6);(b)(7)(C) Rally at the Court"

24-Jul

Tues

19:00

Unk

Occupy ICE NYC

Foley Square

"Abolition Music Fest"

5

Ø Date: Tuesday, July 24, 2018

Event: ABOLITION MUSIC FEST!

Time: 1900 Hours

Location: Foley Square, New York, NY

Command: 5th Precinct

Organizer: Occupy ICE NYC

Event Details:

Facebook Event Page: <https://www.facebook.com/events/446173295861170/>

[\[cid:image002.png@01D42335.24F19D00\]](#)

Ø The Facebook event page lists the following potential attendance figures:

ü 26 listed as Going

::

::



::

26-Jul

Thur

17:30

0:00

The Legal Aid Society, New Sanctuary Coalition of NY, Immigrant Defense Project, et al.

26 Federal Plaza

"Deportee Suitcase Solidarity March"

5

Ø Date: Thursday, July 26, 2018

Event: DEPORTEE SUITCASE SOLIDARITY MARCH

Time: 1730 x 0000 (Midnight) Hours

Location: 26 Federal Plaza, New York, NY

Command: 5th Precinct

Organizer(s): The Legal Aid Society; New Sanctuary Coalition of New York City; Immigrant Defense Project; Detention Watch Network; Families Belong Together; NYU Sanctuary; (b)(6);(b)(7)(C) And The Stop Shopping Choir; et al.

Event Details:

Facebook Event Page: <https://www.facebook.com/events/1907934025896733/>

[cid:image006.png@01D42335.24F19D00]

Ø The Facebook event page lists the following potential attendance figures:

ü 385 listed as Going - HIGH.

ü 1,259 listed as Interested

Ø Below is a transcript of the Facebook event details:

#### A SUITCASE

The deportation machine has many layers. We invite you to join us in an action that will bring to light one such layer-invisible to many-that profoundly marks the lives of our friends, our neighbors.

When Immigration and Customs Enforcement (ICE) orders our Friends deported, their loved ones can pack one 25 lb suitcase for them. Each day, people in our communities must pack such a suitcase and submit it to ICE for inspection. When they drop off these suitcases with ICE, they cannot see their loved one to say goodbye.

Some of our friends and neighbors are deported to countries they left as children, where they know no one and may not speak the language. It may be a place with little opportunity, where their sexuality is criminalized, where there is war or drought. They often face grave danger.

We are asking you to think about one person-someone you love-and imagine packing their suitcase before they were deported to a country where you might never see them again. The suitcase is everything your loved one will leave with; the suitcase contains the belongings they will start over with. We invite you to think about this choice: what objects, what pieces of clothing, what photos, what books, what letters what would you pack?

Members of our communities, our neighbors, have to make these choices every day. They have to think in these terms. They have to pack one suitcase for their loved ones.

On July 26th, at 5:30 PM, we will gather at 26 Federal Plaza in New York City to honor those who have been deported and their loved ones-and to make visible this form of invisible violence.

We ask that you bring ONE (1) OBJECT YOU WOULD PACK in your love's suitcase to 26 Federal Plaza, as we shed a light onto the deportation machine that continues to cause violence and suffering on our communities.

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278

(b)(6);(b)(7)(C)

PH: 212-238 (b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 12:12:00 PM  
**Importance:** High  
**Sensitivity:** Confidential

---

(b)(6);(b)(7)(C)

Thank you for remembering me! I wish you nothing but the best of times and nothing but good fortunes... Your family deserves your undivided attention and hopefully you get to do whatever you wish. May all your dreams come true.

Bravo- You made it

(b)(6);(b)(7)(C)

---

**From:** Herrera-Niles, Dorothy E  
**Sent:** Tuesday, July 24, 2018 12:10 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area  
**Sensitivity:** Confidential

Side note.

Dottie

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

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**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 24, 2018, 12:05 PM  
**To:** #ICE-Watch\_Event\_Notification <[ICE-Watch\\_Event\\_Notification@ice.dhs.gov](mailto:ICE-Watch_Event_Notification@ice.dhs.gov)>  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) FNY\_TASKING <[FNY\\_TASKING@ice.dhs.gov](mailto:FNY_TASKING@ice.dhs.gov)>, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Shanahan, Christopher (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** ICE Protests in the NYC area

This email is to inform you of a planned protest at the ERO NYC Area. The protest is being coordinated by approximately 40 different groups located throughout the NYC area.

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9:00

12:00

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New York Federal Courthouse (500 Pearl Street)

"Free (b)(6);(b)(7)(C) Rally at the Court"

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24-Jul

Tues

19:00

Unk

Occupy ICE NYC

Foley Square

"Abolition Music Fest"

5

Ø Date: Tuesday, July 24, 2018

Event: ABOLITION MUSIC FEST!

Time: 1900 Hours

Location: Foley Square, New York, NY

Command: 5th Precinct

Organizer: Occupy ICE NYC

Event Details:

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"Deportee Suitcase Solidarity March"

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Location: 26 Federal Plaza, New York, NY

Command: 5th Precinct

Organizer(s): The Legal Aid Society; New Sanctuary Coalition of New York City; Immigrant Defense Project; Detention Watch Network; Families Belong Together; NYU Sanctuary; (b)(6);(b)(7)(C) And The Stop Shopping Choir; et al.

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(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278

(b)(6);(b)(7)(C)

PH: 212-238 (b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:** Tsoukaris, John  
**Subject:** RE: ICE Protests in the NYC area  
**Date:** Tuesday, July 24, 2018 1:09:30 PM  
**Sensitivity:** Confidential

---

He's already been promoted to CoS

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza (b)(6);(b)(7)(C) New York, NY 10278

---

**From:** Tsoukaris, John (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 24, 2018, 12:27 PM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE Protests in the NYC area

Send Shanahan to be the ICE spokesman!

Sent with BlackBerry Work  
(www.blackberry.com)

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Jul 24, 2018, 12:05 PM  
**To:** #ICE-Watch\_Event\_Notification <ICE-Watch\_Event\_Notification@ice.dhs.gov>  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)  
FNY\_TASKING <FNY\_TASKING@ice.dhs.gov>, (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) Shanahan, Christopher (b)(6);(b)(7)(C)  
(b)(6);(b)(7)(C)

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19:00

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Foley Square

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Command: 5th Precinct

Organizer: Occupy ICE NYC

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The Legal Aid Society, New Sanctuary Coalition of NY, Immigrant Defense Project, et al.

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"Deportee Suitcase Solidarity March"

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Time: 1730 x 0000 (Midnight) Hours

Location: 26 Federal Plaza, New York, NY

Command: 5th Precinct

Organizer(s): The Legal Aid Society; New Sanctuary Coalition of New York City; Immigrant Defense Project; Detention Watch Network; Families Belong Together; NYU Sanctuary; (b)(6);(b)(7)(C) And The Stop Shopping Choir; et al.

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(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement

Enforcement and Removal Operations

26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278

(b)(6);(b)(7)(C)

PH: 212-238

(b)(6);(b)(7)(C)

**From:** (b)(6);(b)(7)(C)  
**To:**  
**Cc:**  
**Subject:** RE: ICE report date (rescheduled)  
**Date:** Tuesday, July 24, 2018 7:45:00 AM  
**Importance:** High

---

Ms (b)(6);(b)(7)(C)

Thank you for your email, I will review all case related material and get back to you.

(b)(6);(b)(7)(C)

*Deputy Field Office Director*  
*Immigration and Customs Enforcement*  
*New York Field Office*  
New York, NY, 10278

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Monday, July 23, 2018 2:38 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
(b)(6);(b)(7)(C)  
**Subject:** RE: ICE report date (rescheduled)

Dear (b)(6);(b)(7)(C)

I hope you are doing well. I'm writing to request that (b)(6);(b)(7)(C) report date (currently scheduled for this Friday) be cancelled, and if necessary, rescheduled for a later date and time. The stay of removal in place in the District of New Jersey is still in effect, and the case will continue to be briefed through mid-August (the most recent date to be set due to a pending extension sought by the Government). In addition, the Second Circuit has just issued a temporary stay of removal, see attached order.

For these reasons, we request that (b)(6);(b)(7)(C) report date be cancelled, and if necessary rescheduled for some point well past August.

Thank you so much for your consideration of this request. Best,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law



Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Tel: (212) 998- (b)(6);(b)(7)(C)  
Cell: (347) 693- (b)(6);(b)(7)(C)  
Fax: (212) 995-4031  
Email: (b)(6);(b)(7)(C)  
Twitter: (b)(6);(b)(7)(C)  
[www.law.nyu.edu/immigrantrightsclinic](http://www.law.nyu.edu/immigrantrightsclinic)

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, May 09, 2018 6:12 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: ICE report date (rescheduled)

Good afternoon,

Please be advised that (b)(6);(b)(7)(C) appointment with ICE/ERO was postponed until (b)(6);(b)(7)(C) (b)(6);(b)(7)(C) If there is no judicially ordered stay of removal in effect or unless otherwise notified, your client should appear at 26 Federal Plaza, (b)(6);(b)(7)(C) on (b)(6);(b)(7)(C) with one piece of luggage not to exceed 44 pounds.

A copy of the attached reporting notice will be mailed out to (b)(6);(b)(7)(C) mailing address.

Thank you,

(b)(6);(b)(7)(C)  
Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Wednesday, May 09, 2018 11:55 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** Re: ICE report date (rescheduled)

Dear (b)(6);(b)(7)(C)

Hope you are doing well. I am just following up on our inquiry below. Do we need to report on Friday? Thanks so much,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law  
Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Office: (212) 998-(b)(6);(b)(7)(C)  
Cell: (347) 693-(b)(6);(b)(7)(C)  
Fax: (212) 995-4031  
Email: (b)(6);(b)(7)(C)

----- Original message -----

From: (b)(6);(b)(7)(C)

Date: 5/7/18 12:12 PM (GMT-05:00)

To: (b)(6);(b)(7)(C)

Cc:

(b)(6);(b)(7)(C)

Subject: RE: ICE report date (rescheduled)

Dear (b)(6);(b)(7)(C)

I hope you are doing well. I'm writing to request that (b)(6);(b)(7)(C) report date for (b)(6);(b)(7)(C) be cancelled and, if necessary, rescheduled to a date well after (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) has a stay of removal in place from the District of New Jersey in his coram nobis proceedings (please see attached order). We recently had a hearing before the District of New Jersey on (b)(6);(b)(7)(C) and the Court set a schedule for post-hearing briefing that will last until at least (b)(6);(b)(7)(C) (please see attached court minutes with scheduling dates).

Based on these updates, it is now clear that there will be a judicial stay of removal in place in (b)(6);(b)(7)(C) case on (b)(6);(b)(7)(C) and that this stay will last until some point after (b)(6);(b)(7)(C) (since the stay will last until the Court makes a final decision in the proceedings, which will happen at some point after the briefing is completed) (b)(6);(b)(7)(C) also continues to have a stay of removal in place from the Southern District of New York as well.

For these reasons, we respectfully request that (b)(6);(b)(7)(C) report date be cancelled and, if necessary, rescheduled for a date at some point a few weeks after (b)(6);(b)(7)(C)

Thank you for your consideration of these updates and this request. We would be grateful to hear back from you soon.

Sincerely,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Counsel for

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law  
Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Tel: (212) 998- (b)(6);(b)(7)(C)  
Cell: (347) 693- (b)(6);(b)(7)(C)  
Fax: (212) 995-4031  
Email: (b)(6);(b)(7)(C)  
Twitter: (b)(6);(b)(7)(C)  
[www.law.nyu.edu/immigrantrightsclinic](http://www.law.nyu.edu/immigrantrightsclinic)

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Thursday, March 08, 2018 4:13 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** RE: ICE report date (rescheduled)

Good evening

(b)(6);(b)(7)(C)

Please be advised that (b)(6);(b)(7)(C) appointment with ICE/ERO has been rescheduled to

(b)(6);(b)(7)(C)

If there is no judicially ordered stay of removal in effect or

unless otherwise notified, your client should appear at 26 Federal Plaza, (b)(6);(b)(7)(C) on (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C) with one piece of luggage not to exceed 44 pounds.

A copy of the attached reporting notice will be mailed out to (b)(6);(b)(7)(C) mailing address.

Thank you,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Tuesday, February 27, 2018 1:44 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** RE: ICE report date (rescheduled)

(b)(6);(b)(7)(C)

Please see the attached copy of the reporting notice for your records. Thank you

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Friday, February 23, 2018 4:36 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** Re: ICE report date (rescheduled)

Thanks so much. If you are able to email a copy as well, we would be grateful.

Thank you,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law  
Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Office: (212) 995-<sup>(b)(6);(b)(7)(C)</sup>  
Cell: (347) 693-<sup>(b)(6);(b)(7)(C)</sup>  
Fax: (212) 995-4031  
Email: <sup>(b)(6);(b)(7)(C)</sup>

----- Original message -----

**From:** (b)(6);(b)(7)(C)

**Date:** 2/23/18 4:28 PM (GMT-05:00)

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** RE: ICE report date (rescheduled)

Yes Ma'am. We will mail a new reporting notice with the updated date to (b)(6);(b)(7)(C)

Thank you,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Friday, February 23, 2018 4:26 PM

**To:** (b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C)

**Subject:** Re: ICE report date (rescheduled)

Thank you for your email. Is there a new reporting notice to replace the old one?

Best,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law  
Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Office: (212) 99-(b)(6);(b)(7)(C)  
Cell: (347) 693-(b)(6);(b)(7)(C)  
Fax: (212) 995-4031  
Email: (b)(6);(b)(7)(C)

----- Original message -----

**From:** (b)(6);(b)(7)(C)

**Date:** 2/23/18 3:59 PM (GMT-05:00)

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** RE: ICE report date (rescheduled)

Good afternoon (b)(6);(b)(7)(C)

It appears (b)(6);(b)(7)(C) has a hearing scheduled at the U.S. Courthouse, 500 Pearl Street, New York, NY 10007 on (b)(6);(b)(7)(C). Please be advised that (b)(6);(b)(7)(C) appointment with ICE/ERO has been re-scheduled for (b)(6);(b)(7)(C). If there is no judicially ordered stay of removal in effect or unless otherwise notified, your client should appear at 26 Federal Plaza (b)(6);(b)(7)(C) on (b)(6);(b)(7)(C) with one piece of luggage not to exceed 44 pounds.

Thank you,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

---

**From:** (b)(6);(b)(7)(C)

**Sent:** Friday, February 09, 2018 2:59 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

**Subject:** Re: ICE report date (rescheduled)

Thanks so much for the clarification! Have a nice weekend,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law  
Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Office: (212) 998-6467  
Cell: (347) 693- (b)(6);(b)(7)(C)  
Fax: (212) 995- (b)(6);(b)(7)(C)  
Email: (b)(6);(b)(7)(C)

----- Original message -----

From: (b)(6);(b)(7)(C)  
Date: 2/9/18 10:50 AM (GMT-05:00)  
To: (b)(6);(b)(7)(C)  
Cc: (b)(6);(b)(7)(C)  
Subject: RE: ICE report date (rescheduled)

Yes ma'am, that is correct. (b)(6);(b)(7)(C) does not need to report tomorrow.

Regards,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 09, 2018 10:45 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** Re: ICE report date (rescheduled)

Good morning. Just to confirm, we do not need to report at all tomorrow?

Thank you,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Professor of Clinical Law  
Co-Director, Immigrant Rights Clinic  
New York University School of Law  
245 Sullivan St., 5th Fl.  
New York, NY 10012  
Office: (212) 998- (b)(6);(b)(7)(C)

Cell: (347) 693-(b)(6);(b)(7)(C)  
Fax: (212) 995-(b)(6);(b)(7)(C)  
Email: (b)(6);(b)(7)(C)

----- Original message -----

From: (b)(6);(b)(7)(C)  
Date: 2/9/18 9:59 AM (GMT-05:00)  
To: (b)(6);(b)(7)(C)  
Cc: (b)(6);(b)(7)(C)  
Subject: ICE report date (rescheduled)

Good morning (b)(6);(b)(7)(C)

Please be advised that (b)(6);(b)(7)(C) appointment for (b)(6);(b)(7)(C) has been re-scheduled for (b)(6);(b)(7)(C). If there is no judicially ordered stay of removal in effect or unless otherwise notified, your client should appear on (b)(6);(b)(7)(C) with one piece of luggage not to exceed 44 pounds.

Best regards,

(b)(6);(b)(7)(C)

Assistant Field Office Director  
U.S. Immigration and Customs Enforcement

**From:** (b)(6);(b)(7)(C)  
**To:** [Decker, Thomas](#)  
**Subject:** RE: Protest this Thursday!  
**Date:** Tuesday, July 24, 2018 7:12:00 AM  
**Importance:** High

---

We're ready!!

---

**From:** Decker, Thomas  
**Sent:** Tuesday, July 24, 2018 7:00 AM

**To:** (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** Shanahan, Christopher; (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** Protest this Thursday!

Good morning, FYI – this Thursday!

#### NEWS

## Immigration protest asks New Yorkers to experience part of the deportation process

The advocates want New Yorkers to consider what they would send with a loved one who was being deported.



The New Sanctuary Coalition will hold a "Deportee Suitcase Action" on Thursday. Photo Credit: Getty Images / John Moore

By **Nicole Brown**[nicole.brown@amny.com](mailto:nicole.brown@amny.com) Updated July 23, 2018 2:53 PM

Print Share

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A coalition of immigration advocates are asking New Yorkers to consider what they would pack for a loved one who was about to be deported.

The New Sanctuary Coalition and more than 40 other community groups plan to hold a "[Deportee Suitcase Action](#)" on Thursday to bring attention to part of the deportation process they say has "been hidden in the shadows."

When Immigration and Customs Enforcement orders someone to be deported, a family member or friend can pack one bag for them, the coalition said in a statement. That bag, weighing less than 40 pounds, must be dropped off, with the detainee not allowed to be present when the family member delivers it, an ICE representative said.

"We are asking every New Yorker to think about one person — someone you love — and imagine packing a suitcase for that person before they are deported to a country where you might never see them again," the statement said.

The group wants people to bring one of the objects they would pack to a demonstration at 26 Federal Plaza at 5:30 p.m. on Thursday. It also is asking participants to share a photo of the object and an explanation of why they chose it on social media, using #WhatWouldYouPack.



“We invite New Yorkers, rather than just demonstrate, to open themselves up to what it means to see someone taken forever,” the coalition said.

**From:** (b)(6);(b)(7)(C)  
**To:** (b)(6);(b)(7)(C) Decker, Thomas  
**Cc:** Cheng, Wen-Ting; (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) Temporary Stay Entered  
**Date:** Monday, July 23, 2018 4:08:18 PM

---

Thank you .

(b)(6);(b)(7)(C)

Deputy Field Office Director  
New York Field Office  
Department of Homeland Security |  
U.S. Immigration and Customs Enforcement  
Enforcement and Removal Operations  
26 Federal Plaza, (b)(6);(b)(7)(C) New York, NY 10278

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Monday, Jul 23, 2018, 3:39 PM  
**To:** Decker, Thomas (b)(6);(b)(7)(C)  
**Cc:** Cheng, Wen-Ting  
(b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C) Temporary Stay Entered

All,

Good Afternoon: As an update, the Government's brief is now due on (b)(6);(b)(7)(C) in the District of New Jersey portion of this case. (b)(6);(b)(7)(C) response is due

On the immigration court front, (b)(6);(b)(7)(C) filed a motion to reconsider and terminate his removal proceedings before the Board of Immigration Appeals today, which we will (b)(5) His motion to reopen, filed in January 2018, is still pending before the Board of Immigration Appeals. We will provide further updates as they become available. Thank you.

(b)(6);(b)(7)(C)

Deputy Chief Counsel  
Department of Homeland Security

Immigration and Customs Enforcement

Office of the Chief Counsel

201 Varick Street, (b)(6);(b)(7)(C)

New York, NY 10014

Phone: (212) 863- (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

*With honor and integrity, we will safeguard the American people, our homeland and our values.*

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---

**From:** Decker, Thomas

**Sent:** Friday, July 20, 2018 11:23 AM

**To:** (b)(6);(b)(7)(C)

**Cc:** Cheng, Wen-Ting (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** RE: (b)(6);(b)(7)(C) - Temporary Stay Entered

Good morning (b)(6);(b)(7)(C)

Thank you for the update.

Have a great weekend! Tom

Sent with BlackBerry Work  
([www.blackberry.com](http://www.blackberry.com))

---

**From:** (b)(6);(b)(7)(C)

**Date:** Friday, Jul 20, 2018, 11:19 AM

**To:** Decker, Thomas

(b)(6);(b)(7)(C)

**Cc:** Cheng, Wen-Ting

(b)(6);(b)(7)(C)

**Subject:**

(b)(6);(b)(7)(C)

Temporary Stay Entered

Tom,

Good Morning: Yesterday, the Second Circuit issued the attached order granting a temporary stay of removal pending (b)(6);(b)(7)(C) pending appeal of the district court's denial of a preliminary injunction. Oral argument is scheduled for (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C);(b)(5)

We

will keep you posted as to any developments. Thank you.

(b)(6);(b)(7)(C)

Deputy Chief Counsel

Department of Homeland Security

Immigration and Customs Enforcement

Office of the Chief Counsel

201 Varick Street, (b)(6);(b)(7)(C)

New York, NY 10014

Phone: (212) 863- (b)(6);(b)(7)(C)

Email: (b)(6);(b)(7)(C)

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**From:** (b)(6);(b)(7)(C)  
**To:** Cheng, Wen-Ting; Decker, Thomas  
**Cc:** (b)(6);(b)(7)(C)  
**Subject:** RE: (b)(6);(b)(7)(C)  
**Date:** Friday, February 16, 2018 3:15:31 PM

---

Wen

Yes , I received this version several minutes ago, thank you .

(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

---

**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)

**Date:** Friday, Feb 16, 2018, 2:44 PM

**To:** Decker, Thomas (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Cc:** (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

**Subject:** FW: (b)(6);(b)(7)(C)

Tom, (b)(6);(b)(7)(C)

HQ OPLA forwarded us the ES for review. This might not be the final version since it may be further edited at HQ. However, I wanted to make sure you at least had our edits for your awareness.

Please let me know if you have any questions. Thanks.

Wen

Wen Cheng  
Chief Counsel - New York  
USDHS/ICE

\* Sent via iPhone \*

---

**From:** Cheng, Wen-Ting (b)(6);(b)(7)(C)

**Date:** Friday, Feb 16, 2018, 2:07 PM

**To:** (b)(6);(b)(7)(C)

**Cc:**

(b)(6);(b)(7)(C)

**Subject:** RE: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Here are my edits. I need to leave soon for a dentist appointment but (b)(6);(b)(7)(C) can assist if you need anything else on this today. I'll also have my laptop if anything else comes up over the weekend.

*Wen*

Wen-Ting Cheng  
Chief Counsel  
Office of the Chief Counsel  
U.S. Immigration and Customs Enforcement  
26 Federal Plaza, (b)(6);(b)(7)(C)  
New York, NY 10278  
(212) 264-7(C) via SECTOR

***"With honor and integrity, we will safeguard the American people, our homeland, and our values."***

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 16, 2018 11:51 AM  
**To:** Cheng, Wen-Ting  
**Subject:** FW: (b)(6);(b)(7)(C)

Wen:

Can you review this ES and get it back to us?

(b)(6);(b)(7)(C)

Associate Deputy Principal Legal Advisor  
Immigration and Customs Enforcement  
Office Of The Principal Legal Advisor  
Field Legal Operations - West  
202-732-(b)(6);(b)(7)(C) Desk  
716-316-(b)(6);(b)(7)(C) Cell

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 16, 2018 8:28 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** FW: (b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

In light of her direct involvement in this case, would you please have Wen review? It needs a lot of work.

(b)(6);(b)(7)(C)

Deputy Principal Legal Advisor for Enforcement and Litigation  
Office of the Principal Legal Advisor  
U.S. Immigration and Customs Enforcement  
Desk: 202-732-(b)(6);(b)(7)(C)  
Iphone: 202-50

(b)(6);(b)(7)(C)

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---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Friday, February 16, 2018 8:24 AM  
**To:** (b)(6);(b)(7)(C)  
**Subject:** FW: (b)(6);(b)(7)(C)

OPLA,

Please review the attached ES regarding (b)(6);(b)(7)(C)

Thanks,

**V/r,**

(b)(6);(b)(7)(C)

**Staff Officer/ERO Office of the EAD**  
**202-732-(b)(6);(b)(7)(C) Desk**  
**619-571- Mobile**

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 8:28 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** FW: (b)(6);(b)(7)(C)

If OPLA hasn't reviewed, please have them do so. This is cleared, pending review or major changes.

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 12:36 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** #ERO CHIEFS OF STAFF  
**Subject:** FW: (b)(6);(b)(7)(C)

For your review.

*V/r,*

(b)(6);(b)(7)(C)

**Staff Officer/ERO Office of the EAD**  
**202-732- (b)(6);(b)(7)(C) Desk**  
**619-571- (b)(6);(b)(7)(C) Mobile**

---

**From:** (b)(6);(b)(7)(C)  
**Sent:** Thursday, February 15, 2018 12:33 PM  
**To:** (b)(6);(b)(7)(C)  
**Cc:**  
**Subject:** FW: (b)(6);(b)(7)(C)

Please see updated ES attached.

(b)(6);(b)(7)(C)  
(A) Chief of Staff  
Field Operations  
Enforcement and Removal Operations  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> St, SW  
Washington, DC 20024  
202-732- (b)(6);(b)(7)(C) Desk  
202-359- (b)(6);(b)(7)(C) Cell

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**From:** (b)(6);(b)(7)(C)  
**To:**  
**Subject:** RE: (b)(6);(b)(7)(C)  
**Date:** Tuesday, February 13, 2018 7:26:02 AM

---

Thank you brother

(b)(6);(b)(7)(C)

Deputy Field Office Director  
DHS-ICE  
New York, NY

---

**From:** (b)(6);(b)(7)(C)  
**Date:** Tuesday, Feb 13, 2018, 7:13 AM  
**To:** (b)(6);(b)(7)(C)  
**Cc:** Decker, Thomas (b)(6);(b)(7)(C)  
**Subject:** (b)(6);(b)(7)(C)

Wow....the NY Daily News actually published this....

# Financial crimes convict Ravi Ragbir an ill-chosen immigrant icon

Financial crimes convict Ravi Ragbir an ill-chosen immigrant icon

**ERROL LOUIS**

NEW YORK DAILY NEWS

Tuesday, February 13, 2018, 5:00 AM

Activists who want to replace our unjust, convoluted immigration system with something better should be careful about how they use the difficult case of Ravi Ragbir as a guide for how to change American laws.

The unpleasant truth — which the activist's friends frequently ignore, distort or simply dissemble about — is that Ragbir, a native of Trinidad and Tobago, committed serious crimes in the 1990s that led to a prison sentence and constitute the main reason he is facing deportation.

I feel for Ragbir. By all accounts he is knowledgeable, charismatic and leading a necessary fight to bring sense and compassion to our immigration system. And like most New Yorkers, I strongly favor the granting of permanent legal status for Dreamers, the undocumented residents who were brought here as

children.

But Ragbir's case is very different. In 1994, as an adult, he secured a coveted green card, making him a permanent resident with the right to work. I short order, while working at Household Finance Corp. (which was later acquired by HSBC Bank), he joined a criminal ring that used the stolen identities of unsuspecting people to generate fraudulent mortgage loans, and was arrested in the summer of 1999.

In a signed confession, Ragbir said of the man who recruited him: "He told me that he wanted me to do business with him through my company (HFC) and set up real estate loans for people that he would send to me as referrals. He told me that he wanted to get the money from the loans and would send people to me to use false names and information and offered to me one point of each loan. One point is one-percent of the dollar amount of each loan. I told him that I would do it for him."

Ragbir also said of his partner in crime (who later pleaded guilty): "He is the guy that was running the whole scheme through me at my job . . . between December 1998 and now. He has organized the filing of \$1.5 million worth of fraudulent loans by using me to process the loans through Household Finance and allow others to assume false identities to apply for the loans."

Ragbir's supporters often downplay or mischaracterize these crimes, for which he spent three years in federal prison. Ragbir stipulated that the scheme ripped HFC off for between \$300,000 and \$500,000.

But the fraud didn't just affect a faceless corporation: It was based on identity fraud, which wreaks havoc on the lives of unsuspecting victims.

One of the persons ripped off in the scheme, Mary Mays, died before Ragbir went to trial. Another victim, Muzethel Childs, testified that she had never visited HFC or applied for a loan, but discovered her identity was used to generate a bogus mortgage. Ditto for Sudie Smith, whose stolen identity was part of the case against Ragbir.

One wishes that the activists passionately defending Ragbir would take the time to find the families of Mays, Childs and Smith — who, for all we know, were hardworking immigrants trying to make it in America. I wonder if they have ever been made whole financially.

And Mayor de Blasio was being inaccurate — or too cute by half — when he wrote a letter to the regional director of Immigration and Customs Enforcement requesting that Ragbir be granted long-term legal residency in the U.S.

"In his more than 20 years as a lawful permanent resident in the United States, Mr. Ragbir has made significant contributions to the city's civic life," the mayor wrote. That span includes the time Ragbir was part of the stolen

ID/mortgage fraud ring, as well as the years he spent in prison.

As is his right, Ragbir is exploring every conceivable legal and political angle to remain in the U.S. But the legal fight isn't going well; his conviction was upheld on appeal.

And the latest lawsuit, filed on behalf of Ragbir and other activists, charges they are being unfairly targeted because of their advocacy on behalf of undocumented immigrants. But even that lawsuit acknowledges on page 6 that "plaintiffs here do not challenge underlying orders of removal."

That's an acknowledgement that Ragbir has already had his day in court, and that the removal order will likely remain in place. Here's hoping more immigration activists will step up to complete his mission.

(b)(6);(b)(7)(C)

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(b)(6);(b)(7)(C)

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# United States Court of Appeals

FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 19<sup>th</sup> day of July, two thousand eighteen.

Present:

Peter W. Hall,

*Circuit Judge.*

(b)(6);(b)(7)(C)

et al.,

*Plaintiffs-Appellants,*

v.

(b)(6);(b)(7)(C)

Thomas D. Homan, in his official capacity as Deputy Director and Senior Official Performing the duties of the Director of U.S. Immigration and Customs Enforcement, et al.,

*Defendants-Appellees.*

Appellant (b)(6);(b)(7)(C) moves for a stay of removal pending appeal of the district court's denial of a preliminary injunction. Upon due consideration, it is hereby ORDERED that a temporary stay is GRANTED and the motion will be scheduled for oral argument on August 14, 2018.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

Catherine O'Hagan Wolfe

